

# TAPPING THE POTENTIAL FOR REDUCING WORK-RELATED ROAD DEATHS AND INJURIES

PIN Flash Report 33

June 2017



## PIN Panel

Austria (AT)	Klaus Machata, Road Safety Board (KFV)
Belgium (BE)	Heike Martensen, Belgian Road Safety Institute (IBSR/BIVV)
Bulgaria (BG)	Banita Fidyova, Association in Defence of Insured and Injured in Road Accidents
Croatia (HR)	Sanja Veić, Ministry of Interior
Czech Republic (CZ)	Jiri Ambros, Jindřich Frič, Transport Research Centre (CDV)
Cyprus (CY)	George Morfakis, Road Safety Expert Irene Manoli, Ministry of Transport, Communications and Works
Denmark (DK)	Jesper Sølund, Danish Road Safety Council
Estonia (EE)	Erik Ernits, Road Administration
Finland (FI)	Ilkka Nummelin, Finnish Motor Insurers Centre (VALT)
France (FR)	Camille Painblanc, Manuelle Salathé, National Interministerial Road Safety Observatory
Germany (DE)	Jacqueline Lacroix, German Road Safety Council (DVR)
Greece (EL)	George Yannis, Technical University of Athens
Hungary (HU)	Peter Holló, Institute for Transport Sciences (KTI)
Ireland (IE)	Deirde Lynch, Sharon Heffernan, Velma Burns, Road Safety Authority
Israel (IL)	Shalom Hakkert, Transportation Research Institute- Technion, Victoria Gitelman, Road Safety Research Center - Technion
Italy (IT)	Valentino Iurato, Ministry of Transport
Latvia (LV)	Aldis Lāma, Road Traffic Safety Directorate
Lithuania (LT)	Vidmantas Pumputis, Ministry of Transport
Luxembourg (LU)	Claude Paquet, Ministry for Sustainable Development and Infrastructure
Malta (MT)	David Sutton, Transport Malta
Netherlands (NL)	Peter Mak, Ministry of Transport
Norway (NO)	Michael Sørensen, Institute of Transport Economics (TOI)
Poland (PL)	Ilona Buttler, Motor Transport Institute (ITS)
Portugal (PT)	João Cardoso, National Laboratory of Civil Engineering (LNEC)
Romania (RO)	Florentin Brăcea, Romanian Traffic Police
Serbia (RS)	Jovica Vasiljević, Road Traffic Safety Agency
Slovakia (SK)	Zuzana Kollariková, Ministry of Transport
Slovenia (SI)	Vesna Marinko, Traffic Safety Agency
Spain (ES)	Pilar Zori, Ministry of Interior
Sweden (SE)	Anna Vadeby, National Road and Transport Research Institute (VTI)
Switzerland (CH)	Yvonne Achermann, Swiss Council for Accident Prevention (bfu)
U.K. (GB)	Anil Bhagat, Department for Transport Brian Lawton, Transport Research Laboratory (TRL)

## PIN Observers

Stelios Efstathiadis, Road Safety Institute Panos Mylonas, Greece  
Lucia Pennisi, Automobile Club d'Italia (ACI), Italy

## PIN Steering Group

Henk Stipdonk, Institute for Road Safety Research (SWOV) (PIN Co-chair)  
Heather Ward, Parliamentary Advisory Council for Transport Safety (PACTS) (PIN Co-chair)  
Richard Allsop, ETSC Board of Directors (PIN Advisor)  
Jacqueline Lacroix, the German Road Safety Council (DVR)  
Vincent Legagneur, Toyota Motor Europe  
Anders Lie, Swedish Transport Administration  
Astrid Linder, Swedish National Road and Transport Research Institute (VTI)  
Karl Pihl, Volvo group  
Guro Ranes, Norwegian Public Roads Administration  
Maria Teresa Sanz-Villegas, European Commission  
Pete Thomas, Loughborough University  
George Yannis, Technical University of Athens  
Antonio Avenoso, ETSC  
Graziella Jost, ETSC  
Dovile Adminaite, ETSC

## For more information

European Transport Safety Council  
20 Avenue des Celtes  
B-1040 Brussels  
Tel: +32 2 230 4106  
dovile.adminaite@etsc.eu  
[www.etsc.eu/pin](http://www.etsc.eu/pin)

The Road Safety Performance Index (PIN) Programme receives financial support from Toyota Motor Europe, Volvo Group, the Swedish Transport Administration, the German Road Safety Council and the Norwegian Public Roads Administration.

The contents of this publication are the sole responsibility of ETSC and do not necessarily represent the views of the sponsors or the organisations to which the PIN panel and steering group members belong.

© 2017 European Transport Safety Council

# **TAPPING THE POTENTIAL FOR REDUCING WORK-RELATED ROAD DEATHS AND INJURIES**

## **PIN Flash Report 33**

### **Authors**

Dovile Adminaite

Graziella Jost

Henk Stipdonk

Heather Ward

June 2017

## **ACKNOWLEDGEMENTS**

For their assistance providing data, background information and expertise, the authors are grateful to members of the PIN Panel and Steering Group. Without their contribution, this report would not have been possible. Special thanks go to the co-chairs of the PIN programme, Henk Stipdonk and Heather Ward and the PIN programme advisor, Professor Richard Allsop as well as Deirdre Sinnott from the Irish Health and Safety Authority.

The PIN programme relies on panellists in the participating countries to provide data for their countries and to carry out quality assurance of the figures provided. This forms the basis for the PIN Flash reports and other PIN publications. In addition, all PIN panellists are involved in the review process of the reports to ensure the accuracy and reliability of the findings.

ETSC is grateful for the financial support for the PIN programme provided by Toyota Motor Europe, Volvo Group, the Swedish Transport Administration, the German Road Safety Council and the Norwegian Public Roads Administration.

## **ABOUT THE EUROPEAN TRANSPORT SAFETY COUNCIL (ETSC)**

ETSC is a Brussels-based independent non-profit organisation dedicated to reducing the numbers of deaths and injuries in transport in Europe. Founded in 1993, ETSC provides an impartial source of expert advice on transport safety matters to the European Commission, the European Parliament and member states. It maintains its independence through funding from a variety of sources including membership subscriptions, the European Commission, and public and private sector support.

## **ABOUT THE ROAD SAFETY PERFORMANCE INDEX PROJECT**

ETSC's Road Safety Performance Index (PIN) programme was set up in 2006 as a response to the first road safety target set by the European Union to halve road deaths between 2001 and 2010. In 2010, the European Union renewed its commitment to reduce road deaths by 50% by 2020, compared to 2010 levels.

By comparing member state performance, the PIN serves to identify and promote best practice and inspire the kind of political leadership needed to deliver a road transport system that is as safe as possible.

The PIN covers all relevant areas of road safety including road user behaviour, infrastructure and vehicles, as well as road safety policymaking. Each year ETSC publishes PIN 'Flash' reports on specific areas of road safety. All PIN publications can be found on <http://etsc.eu/projects/pin/>.

Tapping the potential for reducing work-related road deaths and injuries is the 33<sup>rd</sup> PIN Flash report edition. The report covers 32 countries: the 28 member states of the European Union together with Israel, Norway, the Republic of Serbia and Switzerland.

# CONTENTS

<b>Executive summary</b>	<b>6</b>
Main recommendations to member states	8
Main recommendations to EU institutions	8
<b>Introduction</b>	<b>9</b>
<b>PART I: Work-related road safety (WRRS) data collection and reporting</b>	<b>11</b>
1.1 Country ranking for WRRS data collection and reporting	12
1.2 Definition of a work-related road (WRR) death: occupational safety and health and road safety areas	12
1.2.1 Professional road user and commuter trips	13
1.3 Work-related road (WRR) death and injury data reporting	15
1.3.1 Purpose of the journey in police reports	15
1.3.2 Reporting by employers	17
1.3.3 Alternative data sources	18
1.4 Building a clear picture of the level of work-related road (WRR) deaths	19
1.5 WRR deaths by road user group	21
1.5.1 Work-related road (WRR) deaths in collisions involving professional drivers by road user group	21
1.5.2 WRR deaths in collisions involving professional travellers by road user group	22
1.6 Estimated value of prevention of WRR collisions	22
<b>Part II: National legal framework for work-related road safety</b>	<b>24</b>
2.1 Country ranking for national legal framework for WRRS	24
2.2 The EU Directive 89/391/EEC on Occupational Safety and Health	25
2.3 National guidance on implementation of the principles of the EU Directive 89/391/EEC in addressing work-related road safety (WRRS)	25
2.4 The ISO international standard 'Road Traffic Safety Management System'	28
2.5 Employer responsibilities on WRRS	29
2.5.1 Legal responsibility of an employer in case of a WRR collision	29
2.5.2 Identification of a company vehicle driver	29
2.5.3 Risk management for commuting	30
2.6 The EU Directive 2003/59/EC on the Certificate of Professional Competence	31
2.7 Alcohol interlocks in specified vehicles driven by professional drivers	32
2.8 The EU Regulation 561/2006/EC on driving times and rest periods	33
2.9 Tachograph enforcement	33
<b>Part III: Public authority leadership in managing work-related road risks</b>	<b>37</b>
3.1 Country information on public authority leadership in addressing WRRS	37
3.2 Procurement of safe vehicles by public authorities	38
3.3 Safe travel plans for employees	40
<b>Part IV Interview with Luana Bidasca</b>	<b>41</b>

# EXECUTIVE SUMMARY

Over 25,600 lives were lost on the road in the European Union in 2016, of those a large proportion were victims of work-related road (WRR) collisions. Even though the exact number is unknown, it is likely that up to 40% of all road deaths are work-related.

## Part I: Work-related road safety (WRRS) data collection and reporting

Gaining a full and detailed picture of WRR collisions in the EU is very challenging due to differing definitions, variety of data sources, a lack of linkages between data sources and underreporting.

France, Switzerland, Spain, Italy, Ireland and Germany performed best in data collection and reporting of work-related road (WRR) deaths compared to the other PIN countries.

While there is an EU definition of a work-related road (WRR) death in the Occupational Safety and Health (OSH) field, there is no common EU definition of a WRR death in the field of road safety. The introduction of a common EU definition of a WRR death in the road safety field would contribute to recognising WRR casualties as a road safety issue and would aid member states in collecting standardised and comparable WRR death data.

Police reports are a key data source for road collisions.

In France, Greece, Ireland, Italy, Luxembourg, Spain, Switzerland, Serbia, Norway and the UK, police collision registration reports include a field indicating the purpose of the journey to capture the details of WRR collisions. In the other 16 PIN countries covered in this report, police reports do not include the purpose of the journey field, leaving the country with no information on the characteristics of WRR collisions. All countries should include the purpose of journey as a field in police reports with an option to choose the purpose of travelling as 'part of work' and 'commuting'.

In 16 out of 26 countries, legislation obliges employers to notify WRR collisions to responsible authorities. Employer reporting helps to identify where and how risks arise, enables investigations to take place when appropriate and to show trends of WRR deaths and injuries.

But employer reporting requirements differ from country to country.

Data on WRR deaths that rely only on employer reporting may substantially underestimate the true level of WRR deaths. Data reported by employers could be complemented if linked and cross-checked with other data sources, such as police reports indicating the purpose of journey. Road safety and OSH authorities should collaborate to improve WRR death data collection.

Regular data collection is essential to help decision makers identify areas for priority actions and to evaluate the results of policy interventions.

## **Part II: The national legal framework for work-related road safety**

Duty of care, occupational safety and health (OSH) and road safety compliance are legal necessities in all EU member states, and employers must take them into consideration.

The most important piece of legislation in the EU addressing OSH is Directive 89/391/EEC on occupational safety and health. The Directive lays down general principles concerning prevention, assessment and elimination of risks and accident factors, protection of safety and health, access to information, consultation and balanced participation and training of workers and their representatives. The Directive requires every employer in the EU to undertake a work-related risk assessment according to the principles of prevention.

Even though WRRS is not specifically mentioned in the Directive, it is a part of all the work-related risks that employees face and create for others. Therefore, it ought to be covered in employee risk assessments, but in practice this might not always be the case.

The principles of the Directive 89/391/EEC on work-related risk assessment can be implemented more efficiently if a government provides guidance focused on the employer's obligations to manage risks associated with travelling for work. Within this framework, 11 out of 26 PIN countries encourage employers to take action on work-related road safety through different initiatives, including promotion and dissemination of guidance, leaflets, prevention campaigns and partnerships between the government, employers and employees.

In the majority of the PIN countries employers can be held legally responsible if their employees are involved in a work-related road collision.

France and Finland are the only PIN countries where laws mandating alcohol interlocks in specified vehicles driven by professional drivers have been introduced. In Finland alcohol interlocks are mandatory in school buses. In France alcohol interlocks are mandatory on all coaches used for public transport.

A major risk factor affecting HGV and passenger transport vehicle drivers is fatigue. Research shows that driver fatigue is a significant factor in approximately 20% of collisions involving commercial vehicles. In many cases fatigue-related collisions have very severe consequences.

The Regulation 561/2006/EC provides a common set of EU rules for maximum daily and weekly driving times, as well as daily and weekly minimum rest periods for all drivers of road haulage and passenger transport vehicles.

The regulation covers road haulage and passenger transport drivers but does not apply to vans below 3.5 tonnes. As a rule of thumb, no driver should be required to drive continuously for more than two hours without at least a 15-minute break. Breaks and break locations should be planned in advance of starting journeys.

For 23 countries, PIN panellists were able to confirm that their countries have designated enforcement or police officers trained to detect tachograph fraud.

## **Part III: Public authority leadership in managing work-related road risks**

In several European countries some public authorities have started to show leadership in addressing WRRS for their employees. Some influence the demand for WRRS by setting road safety requirements through public procurement policies.

Some public authorities in Belgium, Cyprus, Germany, Estonia, Finland, France, Ireland, Poland, Sweden, Slovenia, the UK, Israel and Norway extend their own agencies' policy on safer vehicles when setting requirements for contractors.

Overall, there are no harmonised strategies on leadership by public authorities in addressing WRRS at national level in the PIN countries. WRRS initiatives come from individual public authorities.



#### Main recommendations to member states:

- Adopt a national definition of work-related road collision within the road safety field that covers road deaths and serious injuries among professional road users, commuters, third parties and workers on the road and covers all road user groups; allow for a breakdown of professional road users, commuters, third parties and workers on the road deaths and serious injuries.
- Collect and analyse comprehensive data on the number of WRR deaths and serious injuries on an annual basis to establish a profile on work-related road collisions, their victims and causes. Use the data from WRR collisions profile to target and shape risk prevention interventions at national and EU level.
- Create a data linkage system for coroner reports, OSH and road safety authorities to capture the real scope of work-related road deaths.
- Support employers in fulfilling the requirements needed to undertake a work-related road risk assessment.
- Lead by example and adopt WRRS management programmes for government and public authority fleets and include vehicle safety in public procurement requirements.
- Establish a centralised certification service for suppliers who are in compliance with work-related road risk management legal requirements and have safe work policies.



#### Main recommendations to EU institutions

- Adopt a standardised EU definition of work-related road collisions within the framework of the road safety field that covers road deaths and serious injuries among professional road users, commuters, third parties and workers on the roads and covers all road user groups; allow for a breakdown of professional road users, commuters, road workers and third party deaths and serious injuries.
- Lead by example and adopt work-related road safety management programmes for the EU institutions and their vehicle fleets and include vehicle safety in public procurement.
- Extend liability responsibility and appropriate risk management and preventative measures throughout the EU's own procurement supply chain.

Within the context of the revision of Directive 2003/59/EC concerning the Certificate of Professional Competence:

- Support amendments to periodic training requirements to ensure that they include at least one road safety related topic, are up-to-date with the latest developments in relevant technology, legislation and are relevant to the driver.
- Support the European Commission proposal to include driver awareness of what it is like to be a cyclist or pedestrian interacting with large vehicles.
- Extend the scope of the Directive under Article 1 to cover van drivers.

Within the context of the revision of Regulation 561/2006/EC concerning Driving Times and Rest Periods:

- Work towards consistent levels of enforcement of working time across the EU.

Within the context of the revision of Regulation 2009/661/EC concerning Type-Approval Requirements for the General Safety of Motor Vehicles:

- Prioritise the introduction and further extension of in-vehicle safety technologies linked to the key risk factors, which include Intelligent Speed Assistance, Alcohol Interlocks, Advanced Seat Belt Reminders on all seats and Autonomous Emergency Braking. Mandate Event Data Recorders in all new vehicles.

# INTRODUCTION

Millions of people across Europe use the roads every day for their work. Using the roads is a necessary part of our working lives. It's an everyday activity that leads to a high risk of injury and death.

Over 25,600 lives were lost on the road in the European Union in 2016, of those a large proportion were victims of work-related road (WRR) collisions. Even though the exact number is unknown, it is likely that up to 40% of all road deaths are work-related (see Table 5). Gaining a full and detailed picture of WRR collisions in the EU is very challenging due to differing definitions, variety of data sources, a lack of linkages between data sources and underreporting. The first part of this report aims at assessing the current state of the art in data collection and reporting on WRR collisions with recommendations for action.

Part II looks at the EU and national legal frameworks for work-related road safety (WRRS) with examples of good practice from a number of countries.

Finally, in part III, the report looks at how member states can use public authority good practice and procurement policies to show leadership in work-related road safety management.

## Defining work-related collisions

There is no common EU definition of a victim of a work-related road (WRR) collision in the road safety field. Depending on different interpretations and national definitions, victims of WRR collisions can include all or some of these categories:

- Professional driver – a driver, employee or self-employed person, whose profession involves routinely driving commercial or passenger vehicles;
- Professional traveller – an employee or self-employed person who drives/rides a vehicle or is a passenger who travels for work purposes, driving/riding is not their primary profession;

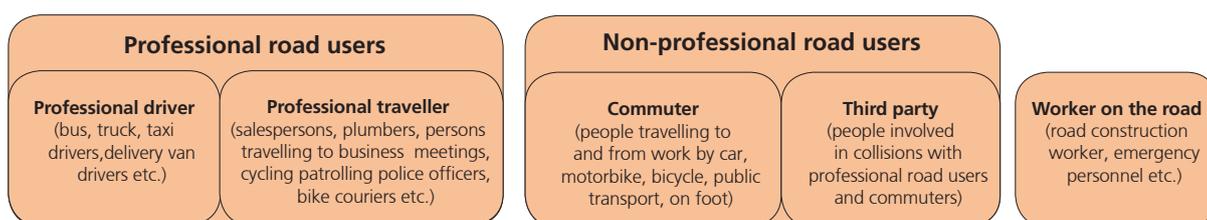
These first two categories of road users – professional driver and professional traveller – will be referred to as professional road users in the rest of this report;

- Commuter – any person walking, riding or driving from home to their regular place of work (or vice-versa);
- Third party – people involved in collisions with professional road users and commuters.

These two categories of road users – commuter and third party – will be referred to as non-professional road users in the rest of this report;

- People who work on or near the road.

**Table 1. Terms describing different types of WRR users used in this report.<sup>1</sup>**



<sup>1</sup> These are ETSC terms used for the purpose of this report and they differ from national and EU definitions (e.g. in the scope of this report drivers of vans under 3.5t whose job depends on holding a driving license are considered to be professional drivers even though by law they might not fall under professional driver category).



ETSC's PRAISE project – tools for large and small organisations that want to improve road safety at work.

ETSC's PRAISE project addresses the safety aspects of driving for work and driving to/from work. Its aim is to promote best practice in order to help employers secure high road safety standards for their employees. Reports and case studies are available for free download at: [www.etsc.eu/PRAISE](http://www.etsc.eu/PRAISE)



## NOTE ON METHODOLOGY

This report aims to give an overview of the PIN countries' performance in work-related road safety (WRRS) management at the national level.

PIN panellists from each country were asked to answer a set of questions which constitute a checklist of the main elements in WRRS management.

The list of questions is not exhaustive. The questions were inspired by ETSC's PRAISE project and the SafetyNet and DaCoTa projects funded by the European Commission.

Some of the items in the checklist are not simple yes/no questions but are matters of degree. Answers on matters of degree might be influenced by a personal viewpoint: one panellist might reply 'partly' or 'no' because of different personal expectations and perceptions. If a question was left unanswered by a panellist, the question was taken out of the maximum total number of points that country could reach on the whole set of questions. If three or more questions were left unanswered in Part I or Part II, the country was not included in the rankings.

For each country, the total number of points allocated was expressed as a percentage of the maximum it could reach in the evaluation Part I and Part II. Countries were not ranked in Part III as the number of questions was small, but the answers the panellists provided are included in Table 10. Application of the scores (in %) in this report serves to convert qualitative answers into quantitative figures to provide indicators of the scope of national efforts on WRRS management. The number of points attributed to each answer is subjectively decided taking into account the importance of each question. These limitations have to be borne in mind when interpreting the rankings.

No response was received from Bulgaria, Denmark, Malta, the Netherlands or Portugal. A response was received from Romania but, due to lack of information, Romania was excluded from the report.

The fact that some PIN panellists found it challenging to gather the information to answer the questions asked suggests that tackling WRRS is complex.

The term accident in European Statistics of Accidents at Work (ESAW) includes all accidents in the course of work, leading to physical or mental harm, whether they happen inside or outside the premises of the employer, on the premises of another employer, in public places or during transport.<sup>2</sup> In practice the level of reporting may differ between countries.<sup>3</sup>

Road collisions occur when at least one road vehicle in motion on a public road or private road to which the public has right of access collides with another vehicle(s), cyclist(s), pedestrian(s), moving or stationary object(s). Road collisions can result in road death(s), injury(ies) or property damage.<sup>4</sup>

<sup>2</sup> Eurostat, Accidents at work (ESAW), <https://goo.gl/LE956r>

<sup>3</sup> Ibid

<sup>4</sup> Eurostat, Illustrated Glossary for Transport Statistics (2009), <https://goo.gl/LQhBby>

# PART I

## WORK-RELATED ROAD SAFETY (WRRS) DATA COLLECTION AND REPORTING

**Table 2. Reporting and data collection of work-related road collisions.**

	Question	Points attributed to yes	Points attributed to partially
Q1	Is there an agreed common definition of what constitutes a work-related road collision in your country?	1	-
Q2	Does the definition of a work-related road collision in Q1 cover commuting?	1	0.5
Q3	If commuting is included in a definition of work-related road collision as described in Q1, does it cover all road users, including those walking and cycling?	1	-
Q4a	Is there a field in the police reports indicating the purpose of the journey?	2	-
Q4b	If the answer to question 4a is yes, what is the completion rate of the purpose of journey field in police reports?	2	1
Q5	Is there a legal obligation for an employee to inform the employer if he/she is involved in a collision while driving for work? <sup>5</sup>	2	1
Q6	Is there a legal requirement for employers and self-employed to report work-related road collisions to a relevant government body?	2	1

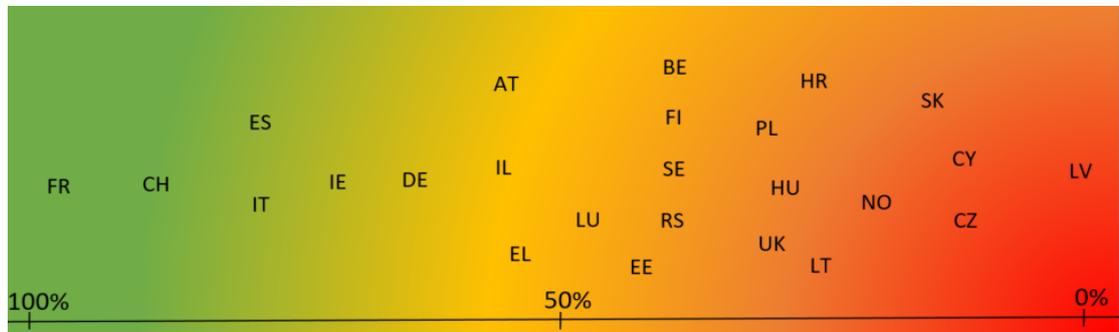
Score application for providing work-related road death data	
Q7	<p>Annual total number of people killed in work-related collisions:</p> <ul style="list-style-type: none"> <li>■ 3 points – data allow separation of professional road user, commuter and third party deaths.</li> <li>■ 2 points – data allow separation of professional road user and commuter deaths, data on third party deaths not available.</li> <li>■ 1.5 points – data include professional road user and third party deaths in collisions with professional road users; commuter and third party deaths in collisions with commuters not available.</li> <li>■ 1.5 points – data include professional road user and commuter deaths but do not allow to separate professional road user deaths from commuter deaths.</li> <li>■ 1 point – data available for professional road user deaths only.</li> <li>■ 0.5 points – data available for professional road user deaths only, underreporting rate is known to be at least 50%.</li> <li>■ 0 points – data not available.</li> </ul>
Q8	<p>Annual number of road users killed in collisions involving a professional or non-professional driver or rider by road user group:</p> <ul style="list-style-type: none"> <li>■ 1 point – data allow separation of professional road user, commuter and third party deaths.</li> <li>■ 0.5 points – data do not allow separation of professional road user and commuter deaths; deaths of bystanders unknown.</li> <li>■ 0.5 points – professional road user deaths only.</li> <li>■ 0.25 points – professional road user deaths only, underreporting rate is known to be at least 50%.</li> </ul>
Total maximum points (if all questions were answered) 15 = 100%	

<sup>5</sup> In this question driving for work means driving as part of a job or in a company provided vehicle. It does not include commuting to and from the normal place of work in a vehicle not provided by the employer.

## 1.1 Country ranking for WRRS data collection and reporting

France, Switzerland, Spain, Italy, Ireland and Germany performed best in data collection and reporting of work-related road (WRR) deaths compared to the other PIN countries (Fig.1). France scored 14.5 points out of the maximum 15 points which could have been gathered in Part I.

**Fig.1 Country performance in 2017 in data collection and reporting of work related road collisions as a proportion (%) of maximum 15 points.** SI is excluded from the figure as three or more questions of Part I were not answered.



All six leading countries have a definition of what constitutes a WRR collision. In France, Switzerland, Spain, Italy and Germany the definition of a WRR collision includes commuting and all road user groups.

In all leading countries, except Germany, reports that police have to fill in after a collision include a field indicating the 'purpose of journey'.

All six countries at the top of the ranking provided the number of WRR deaths using their national definitions. France, Switzerland, Spain, Italy and Germany could provide the number of WRR deaths by road user group.

France has not reached the maximum 15 points as the fill-in rates for purpose of journey in police reports is 70%. Switzerland has not reached the maximum number of points because there is no legal requirement for employers and self-employed to report WRR collisions to a relevant government body. Italy failed to reach maximum points as it is not known what proportion of purpose of journey field in police reports is filled in. Ireland has not scored all 15 points because the definition of a WRR collision does not include commuting. Germany has not reached the maximum points because there is no field in police reports indicating the purpose of journey. In Germany WRR death data do not allow the separation between professional road user and commuter deaths and do not capture the number of third party deaths.

## 1.2 Definition of a work-related road (WRR) death: occupational safety and health and road safety areas

Work-related road safety (WRRS) is both a road safety and an occupational safety and health (OSH) matter and, therefore, should be addressed in both areas. From a road safety perspective road users are held accountable for their behaviour while, from an OSH perspective, it is a shared responsibility between the employer and the employee.<sup>6</sup> The employer is responsible for providing the framework for work-related risk management within which employees can work safely and this extends to work-related road use.

While the EU definition of a work-related road (WRR) death is present in the OSH field, there is no common EU definition of a WRR death in the road safety area.

A WRR death is defined in European Statistics of Accidents at Work (ESAW) as a death of a victim that occurred within one year of the collision. It covers all accidents that happened in the course of work, including road traffic collisions, but excluding commuting. Data reporting on the deaths of self-employed people is voluntary.<sup>7</sup>

<sup>6</sup> Drummond, A., Codd, M. & McQuillan, N. (2016) Fatal CRASH! Fatal collisions on the road and safety and health: Using narrative data from coroners, University College Dublin: IOSH, <https://tinyurl.com/zyqs22a>  
<sup>7</sup> Eurostat, Accidents at Work (ESAW, 2008 onwards), <https://goo.gl/tzh5yH>

The ESAW definition of a work-related death has a number of differences compared to a road death as defined in the road safety field. A road death in the road safety field is described as a fatal injury, resulting in death within 30 days of a road collision. People who died as a result of road traffic injuries within one year are included in the ESAW definition. All road deaths are supposed to be recorded in the road safety field as opposed to ESAW recording, which takes into account professional road user deaths only. This means that ESAW recording does not capture all groups of WRR deaths as described in this report (Table 1). The ESAW definition does not require the reporting of the number of self-employed, commuter or third party deaths.

*The introduction of a common EU definition of a WRR death in the road safety field would contribute to recognising WRR deaths as a road safety issue and would aid member states in collecting standardised and comparable WRR death data.*

The introduction of a common EU definition of a WRR death in the road safety field would contribute to recognising WRR deaths as a road safety issue and would aid member states in collecting standardised and comparable WRR death data.

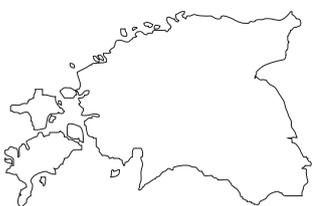
Table 3 shows that 12 out of 26 countries' national definitions of a WRR collision cover commuting and all modes of transport, including walking and cycling. Eight countries do not have a definition of a WRR collision.

To ETSC's knowledge, in the great majority of the PIN countries, the definition of a WRR collision originates from the OSH field, including national insurance organisations, work accident funds and other sources.

The existence of a definition of a WRR collision brings clarity to what is perceived as a WRR death. Different definitions of WRR deaths should exist in OSH and road safety areas. However, the definition would not be enough to ensure that data on WRR deaths are being systematically collected, analysed or made available.

**Estonia: work-related road collisions covered under the OSH definition have a different scope than road collisions in the road safety field**

A definition of what constitutes a WRR accident is covered under the general definition of accidents at work in Estonia. It is considered that WRR collisions are collisions in which professional road users are involved. However, collisions which are not considered as road collisions in the road safety field also fall under the WRR collisions category in Estonia; for example, accidents in a roadwork zone when only the road worker and no road user is involved or accidents when only a roadwork vehicle is involved.



**1.2.1 Professional road user and commuter trips**

There are key differences between professional road user and commuter trips. While almost everyone commutes to reach a place of work, not everyone has to use the roads to complete a work-related task.

For professional road users undertaking a work-related task is the reason they find themselves using the roads. Professional road users use the roads during their working hours. Many professional road users do not have a choice but to be present on the road when traffic volumes are the heaviest, during poor weather conditions and often early in the morning or in the hours of darkness, when the risk of collision is higher. Professional road users often do not have a choice of which mode of transport to use. They may also be pressured to travel faster, for longer periods which can lead to speeding and driver fatigue. Professional road users can be encouraged to use technologies to perform work-related tasks, which may result in driver distraction.

The potential for prevention of professional road user risks is with employers, who have the legal responsibility to protect the health of workers while they are at work.

*The potential for prevention of professional road user risks is with employers, who have the legal responsibility to protect the health of workers while they are at work.*

Commuting refers to the trip from home to the workplace or from the workplace back home. This trip might be direct or it can have detours. Commuters are free to choose a preferred way of travelling, including driving, riding, walking or using public transport. During commuting road users are not working - they are outside working hours. Commuters might be pressured by time but this pressure arises from personal time management or a choice of the mode of transport but not from the employer. For most people the journey to the workplace is the most dangerous part of the workday. In many PIN countries employers do not have a legal responsibility to manage commuting-related risks. But employers can voluntarily contribute to reducing commuting risks by, for example, providing safe commuting plans and introducing flexible working hours.

The common characteristic of professional road users and commuters is that by using the road they face and create risk. However, different countermeasures should be applied in addressing professional road user and commuter risks as these are different kinds of activities and employer responsibility within the scope of these activities differs.

There is no consensus across the EU on whether commuting collisions should be considered as work-related accidents. While commuting accidents are excluded from the definition of accidents at work used by the Eurostat (ESAW), in some of the PIN countries the workers' compensation systems cover commuting collisions.

Work-related road collisions in the road safety field should include four categories - professional road user, commuter, third party and worker on the road - to capture the real scope of work-related road deaths and serious injuries. Professional road user and commuter death and injury data should be analysed separately as should data concerning third party and worker on the road deaths and injuries.

**Table 3. Country answers regarding the definition of work-related road collisions and the extent of the definition.**

	Q1: Is there a definition of a WRR collision in your country?	Q2: Does the WRR collision definition cover commuting?	Q3: Does the WRR collision definition cover all road user groups?
AT	Yes	Yes	Yes
BE	Yes	Yes	Yes
CY	No	Not applicable	Not applicable
CZ	Yes	No	No
DE	Yes	Yes	Yes
EE	Yes	No	No
EL	No	Not applicable	Not applicable
ES	Yes	Yes	Yes
FI	Yes	Yes	Yes
FR	Yes	Yes	Yes
HR	No	Not applicable	Not applicable
HU	Yes	Partially	Not applicable
IE	Yes	No	No
IT	Yes	Yes	Yes
LT	No	Not applicable	Not applicable
LU	Yes	Yes	Yes
LV	No	Not applicable	Not applicable
PL	Yes	Yes	Yes
SE	Yes	Yes	Yes
SI	Yes	Not applicable	Not applicable
SK	No	No	Not applicable
UK	Yes	No	Not applicable
IL	Yes	Yes	Yes
NO	No	Not applicable	Not applicable
CH	Yes	Yes	Yes
RS	No	Not applicable	Not applicable

Yes Partially No Not applicable

### 1.3 Work-related road (WRR) death and injury data reporting

Two main data sources can be used to collect information about WRR deaths and injuries: police records and employer notifications to Occupational Safety and Health (OSH) authorities. Yet, in all of the PIN countries who replied<sup>8</sup> the police and employer reports are not linked. As a result, the picture of WRR deaths and injuries is fragmented and the real extent of the WRR risk problem is difficult to estimate.<sup>9</sup>

The absence of WRR death data or under-reporting reinforces the impression that some types of risks do not need to be managed.<sup>10</sup>

#### 1.3.1 Purpose of the journey in police reports

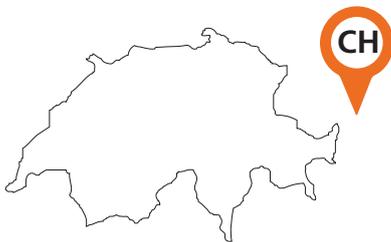
Police reports are the key data source for road collisions. The number of work-related road deaths can be identified in police reports when a fatal collision involves a heavy goods vehicle and bus/coach as it is uncommon to drive these vehicles for non-work-related purposes. However, in many countries the purpose of the journey of van and car occupants and vulnerable road users is not recorded by the police.

In France, Greece, Ireland, Italy, Luxembourg, Spain, Switzerland, Serbia, Norway and the UK, police collision registration reports include a field indicating the purpose of the journey to capture the details of WRR collisions (Table 4).

In the other 16 PIN countries covered in this report, police reports do not include the purpose of the journey field, leaving the country with no information on the characteristics of WRR collisions. All countries should include the purpose of journey as a field in police reports with an option to choose the purpose of travelling as 'part of work' and 'commuting'.<sup>11</sup>

The glossary of the European Commission's Common Accident Data Set (CaDaS) recommends EU member states to indicate the purpose of the journey of drivers and riders involved in road collisions when reporting road collisions. The CARE database includes a field for 'driving as part of work' and 'route to or from work' but only for motor vehicle drivers and riders involved in a road collision.<sup>12</sup> ETSC recommends that this field be applicable to all road user groups, including cyclists and pedestrians. Third party road deaths and injuries should also be captured.

In some of the countries where the purpose of the journey is included in police reports, an improvement in completion rates and evaluation of the accuracy of the information indicated by the police is desirable.



#### Switzerland: the purpose of journey is recorded by the police for nearly all collisions

The police record the purpose of the journey in all collisions in Switzerland, including route to/from work; driving as part of work; route to/from school. The completion rate of purpose of journey by the police is nearly 100% for all road users involved in collisions, including vulnerable road users. According to the data from the police, over the period 2012 to 2015, the purpose of the journey was unknown for 2.4% for slightly injured road users, 4.6% for seriously injured and 13.7% for killed road users.

If the road user is killed as a result of a collision, the police start an investigation to find out the purpose of the journey by contacting family members, colleagues, witnesses. If the information is missing, the police make a hypothesis based on the travel time, the day of the week and the vehicle used.

<sup>8</sup> Replies to the question asking if police records are linked with OSH authorities' data were received from CH, EL, IE, IL, IT, FR, HU, PL, SI.

<sup>9</sup> Drummond, A., Codd, M. & McQuillan, N. (2016) Fatal CRASH! Fatal collisions on the road and safety and health: Using narrative data from coroners, University College Dublin: IOSH, <https://tinyurl.com/zyqs22a>

<sup>10</sup> IOSH response to the HSC work-related road safety task group (2001), <https://goo.gl/dEgq9y>

<sup>11</sup> Drummond et. Al.

<sup>12</sup> European Commission (2015), CARE database Common Accident Data Set (CaDaS), <https://goo.gl/918iQB>



### Ireland: purpose of journey data collected by the police

The field 'purpose of journey' in the collision reports filled in by the police has been available since 2014 in the Irish Road Safety Authority (RSA) database.

The RSA checks that the field 'purpose of the journey' is filled-in by the police for all injury collisions. If the field has been filled as 'unknown', the RSA sends the form back to the police to investigate. As a result, the field 'purpose of the journey' is filled-in for all fatal, serious and minor injury collisions involving a driver, in 9.7% of cases the trip's purpose was recorded as unknown. However, the accuracy in the recording of the trip purpose field by the Irish police is unknown, as in many other countries.



### Italy: under-reporting of work-related road collisions by the police

The field 'purpose of journey' has been included in police reports in Italy since 2011. However, the accuracy of the information indicating the purpose of journey in police reports needs to be improved. In 2015 the number of claims submitted to the National Insurance Institute for work-related road accident compensation was three times higher than the total number of WRR injury collisions registered in police reports. It is a rather rough comparison as data sources are different but it gives an idea of the possible level of under-reporting of the purpose of journey by the police.

Table 4. Country answers regarding work-related road safety data collection and reporting.

	Q4a: Is there a field in police report indicating the purpose of the journey?	Q4b: If 4a = yes, what is the estimated completion rate?	Q5: Is there a legal obligation for an employee to inform the employer if he/she is involved in a collision while driving for work?	Q6: Is there a legal obligation for employers and self-employed to report to a responsible authority on work-related road collisions?
AT	Yes	Not applicable / not available	Yes	Yes
BE	Yes	Not applicable / not available	Yes	Partially
CY	Yes	Not applicable / not available	No	Yes
CZ	Yes	Not applicable / not available	Partially	No
DE	Yes	Not applicable / not available	Yes	Yes
EE	Yes	Not applicable / not available	Yes	Yes
EL	Yes	Roughly 50%	Yes	Yes
ES	Yes	Not applicable / not available	Yes	Yes
FI	No	Not applicable / not available	Yes	Yes
FR	Yes	70%	Yes	Yes
HR	No	Not applicable / not available	Yes	Yes
HU	No	Not applicable / not available	Partially	Yes
IE	Yes	Nearly 100%	Yes	Yes
IT	Yes	Not applicable / not available	Yes	Yes
LT	No	Not applicable / not available	Yes	Yes
LU	Yes	Not applicable / not available	Yes	Not applicable / not available
LV	No	Not applicable / not available	No	Not applicable / not available
PL	No	Not applicable / not available	Yes	No
SE	No	Not applicable / not available	No	Yes
SI	No	Not applicable / not available	Yes	Not applicable / not available
SK	No	Not applicable / not available	Yes	Not applicable / not available
UK	Yes	Not applicable / not available	No	No
IL	No	Not applicable / not available	Yes	Yes
NO	Yes	Roughly 40%	No	No
CH	Yes	Nearly 100%	Yes	No
RS	Yes	Not applicable / not available	Yes	Yes

Yes
  Partially
  No
  Not applicable / not available

### 1.3.2 Reporting by employers

In 16 out of 26 countries, the legislation obliges employers to notify WRR collisions to responsible authorities (Table 4). Employer reporting helps to identify where and how risks arise, enables investigations to take place when appropriate and to show trends of WRR deaths and injuries.<sup>13</sup>

Employer reporting requirements differ from country to country. For example, in Ireland, employers have to report professional road user and third party deaths and injuries that occur in collisions with professional road users. In Germany, the employer has to report professional road user and commuter deaths and injuries but there is no requirement to report third party deaths and injuries. In the UK, the employer does not have to report a majority of work-related road deaths and injuries if they occurred on a public road.

While employer reporting is an important source of information about WRR deaths and injuries, it has limitations:

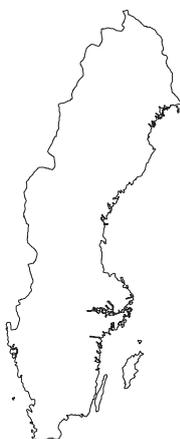
- Outside of easily-identifiable WRR collisions, such as collisions involving buses, taxis and lorries, employers might be unaware of the reporting requirement;<sup>14</sup>
- When employers are aware of the reporting obligation but the definition of a WRR collision is absent or unknown to the employers, they might not identify some relevant road traffic collisions as a work-related accident;<sup>15</sup>
- In cases where a collision is reported by the employer, the report will focus on the employee but might not capture information about third party deaths or injuries.<sup>16</sup>

Data on WRR deaths that rely only on employer reporting may substantially underestimate the true level of WRR deaths. Data reported by employers could be complemented if linked and cross-checked with other data sources, such as police reports indicating the purpose of journey. Road safety and OSH authorities should collaborate to improve WRR death data collection.



#### **Ireland: the employer reporting system requires reporting of professional road user and third party deaths and injuries**

In Ireland, employers have an obligation to report work-related collisions that took place either at the place of work or at another employer's place of work, including collisions while driving for work on public roads, but excluding commuting. Employers also have to report a third party death or injury that occurred in a WRR collision and other work-related accidents.<sup>17</sup>



#### **Sweden: web-based employer reporting system**

The work-related road collision reporting system in Sweden is web-based. Severe injuries and deaths should be reported within 24 hours.

The employer has to fill in and send an online form for work-related accident reporting. In the case of a minor injury, the web-based reporting system sends the employer report to the social insurance institution (Försäkringskassan). In case of severe injury and road death, the reports are sent to the Work Environment Authority. The reporting system is fully automated and the employer does not have to decide which authority should receive the report.

<sup>13</sup> Health and Safety Executive (2001), Reducing at-work road traffic incidents, <https://goo.gl/YWdTmP>

<sup>14</sup> Drummond, A., Codd, M. & McQuillan, N. (2016) Fatal CRASH! Fatal collisions on the road and safety and health: Using narrative data from coroners, University College Dublin: IOSH, <https://tinyurl.com/zyqs22a>

<sup>15</sup> Ibid

<sup>16</sup> Ibid

<sup>17</sup> Health and Safety Authority (2016), Guidance on the Safety, Health and Welfare at Work (Reporting of Dangerous Occurrences) Regulations 2016, <https://goo.gl/76Upfa>



### **Germany: work-related death and injury reporting by employers is complete**

The definition of a work-related road death and injury in Germany covers professional road users and commuters.

The key data source for work-related road deaths and injuries in Germany are employer reports which are sent to the corresponding statutory workers accident insurance. Employer reports are an integral part of the statutory accident insurance system, which serves as liability insurance for employers against the risk of their employees suffering occupational accidents and diseases. The statutory accident insurance institutions absolve employers of their liability and compensate employees in the event of an accident or disease. In return, the employer pays premiums. Therefore, the accident data are only employee-related and do not include third parties. These data are covered by individual vehicle insurance or by the police.



### **UK: most injuries resulting from work-related vehicle movement on public roads are not reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulation (RIDDOR)**

The RIDDOR regulation in the UK imposes a legal duty on employers, the self-employed or someone in control of work premises to report and record many kinds of work-related accidents and injuries. However, most work-related road deaths – i.e. those that occur on the public highway - are not covered by the regulation. It is considered that WRR collisions should be reported to the police who have primary responsibility for enforcing road traffic legislation. According to the Institution of Occupational Health and Safety (IOSH), this aspect of RIDDOR reporting requirements is an anomaly and should be amended to cover all work-related accidents, including those which occur outside the employer's premises, such as on public roads.<sup>18</sup>

### **1.3.3 Alternative data sources**

Additional data sources of WRR deaths and injuries can be workers' insurance compensation data, coroners' files, hospital in patient treatment admission records, labour force surveys and others. Generally, information from different data sources is fragmented, data linkages between them are largely limited or absent and some of the data are not collected in a centralised way or in electronic format.<sup>19</sup> Moreover, a lot of WRR death and injury data recorded by the information sources mentioned above are used for insurance compensation, hospital administration and other purposes but not for WRRS improvements.<sup>20</sup>

Under the framework of Regulation 1338/2008/EC on public health and safety at work, EU member states have an obligation to report national labour force survey (LFS) results to Eurostat.<sup>21</sup> The LFS provides information on the proportion of employees involved in road traffic collisions which resulted in less than four days of absence at work. The results of the LFS can provide partial information on the number of work days lost due to WRR collisions. From the road safety perspective, the LFS has a major limitation as it does not capture the information on serious WRR injuries that resulted in four or more days of absence at work.



### **Israel: work-related road death data recorded by the National Insurance Institute (NII)**

Data on the number of work-related road deaths are recorded by the NII in Israel. The information gathered by the NII covers professional road user and commuter deaths. It includes all cases where family members of a person killed in a WRR collision received a dependents' pension. It is likely that the numbers of WRR deaths are underreported as there can be cases when nobody submitted a claim for a dependent's pension or a claim has been submitted and rejected by the NII.

<sup>18</sup> IOSH response to the HSC work-related road safety task group (2001), <https://goo.gl/dEgq9y>

<sup>19</sup> Murray W. et. al. (2008), Sources of data on occupational road safety: an international review, <https://goo.gl/BrbWpp>

<sup>20</sup> Ibid

<sup>21</sup> More information on the Labour force survey: <https://goo.gl/ZfrCh>, <https://goo.gl/RSPCYB>



### Spain: a study shows 50% of all road deaths were work-related over the period 2003-2012

A study conducted in Spain by Fundación MAPFRE underlined the significance of WRR collisions. According to the study, WRR collisions represented more than 20% of the total number of injuries with time off work. WRR collisions accounted for 33% of serious road collisions and 50% of all fatal collisions over the period between 2003 and 2012.<sup>22</sup>



### Ireland: review of coroner files revealed the extent of the underestimation of the number of WRR deaths registered in the Health and Safety Authority (HSA) database

A study conducted in Ireland analysed coroner reports to estimate the number of WRR deaths over the period 2008-2011: 833 road deaths occurred in Ireland in this four-year period. According to the information gathered from coroner files, 193 (23%) of the 833 road deaths were work-related. However, commuting deaths were not covered in the scope of the study.<sup>23</sup>

Out of all the WRR deaths, only 15% (29 out of 193) were professional road users who died in a road collision, 85% of those killed in collisions with professional road users were a third party. Moreover, the analysis revealed that only 41% of all professional road user deaths identified in coroner data had been notified to the HSA. When the analysis took into account professional road user and third party deaths, only 8% of these deaths were identified in the HSA database.<sup>24</sup>

The study revealed that coroner reports can provide a complete picture of the level of WRR deaths. Coroner reports contain definitively confirmed facts and a wealth of information in relation to the circumstances of collisions that resulted in death. In Ireland coroner reports are collected at regional level and in paper format and, therefore, access, costs and the manual work of examining paper files preclude using coroner data as a routine data source.<sup>25</sup>

## 1.4 Building a clear picture of the level of work-related road (WRR) deaths

Regular data collection is essential to help decision makers identify areas for priority actions and to evaluate the results of policy interventions. However, basic data collected on the total number of people killed in WRR collisions in the majority of the PIN countries are scarce, limited, incomplete or unavailable.

According to Eurostat data, based on the European Statistics of Accidents at Work (ESAW) definition, around 3,790 work-related deaths occurred in the EU on average each year over the period 2012-2014. Around 60% of these work-related deaths happened in transport, including road, rail, water and aviation. One of the limitations of the Eurostat data is that there is no figure for the numbers of work-related transport deaths that occurred only on the road.

Out of all the PIN countries only Austria, Estonia, France, Germany, Greece, Ireland, Israel, Italy, Slovenia, Spain, Sweden and Switzerland could provide data on the total number of WRR deaths (Table 5). However, comparison is not possible between countries due to varying definitions, data sources, data collection methods, completion and accuracy rates. Uniform standards to facilitate data sharing within a country and between countries are lacking.

<sup>22</sup> Fundación MAPFRE (2015), Análisis evolutivo de la siniestralidad laboral vial (2003-2012), <https://goo.gl/cl1PaB>

<sup>23</sup> Drummond, A., Codd, M. & McQuillan, N. (2016) Fatal CRASH! Fatal collisions on the road and safety and health: Using narrative data from coroners, University College Dublin: IOSH, <https://tinyurl.com/zyqs22a>

<sup>24</sup> Ibid

<sup>25</sup> Ibid

Data on the number of WRR deaths and data on the number of all road deaths used in Table 5 come from different sources. While overall road death data are collected by the police, the WRR death data in almost all countries are supplied by OSH authorities. France, Switzerland, Greece and Ireland provided the numbers of work-related road deaths based on police records, but a varying level of under-reporting and accuracy of purpose of journey in these records exist. Therefore, the number of work-related road deaths as a proportion of all road deaths is a rough estimate for all countries listed in Table 5.

The scale of the work-related road death problem depends on the definition used. If deaths of non-professional road users, commuters or third parties involved in WRR collisions are taken into account, the number of WRR deaths is much larger, as illustrated from the examples from France, Italy, Spain and Switzerland (Table 5).

**Table 5. Recorded work-related road (WRR) deaths as a proportion of all road deaths, average years 2013-2015.**

	Average number of recorded WRR deaths in 2013-2015 or the last three years available	Average number of road deaths in 2013-2015 or the last three years available	WRR deaths as a proportion (%) of all road deaths in 2013-2015 or the last three years available
AT	51	455	11%
CH	61	255	24%
CH*	104	255	41%
DE	414	3,414	12%
EE	4	75	5%
EL	41	826	5%
ES	53	1,686	5%
ES*	176	1,686	10%
FR	404	3,435	12%
FR*	1,352	3,435	39%
IE	8	178	5%
IE*	48	208	23%
IL	27	273	10%
IT	203	3,404	6%
IT*	389	3,404	11%
SE	8	263	3%
SI	5	120	4%

WRR death data coverage and data sources:

AT – number of professional road user deaths. Data source: Austrian Workers' Compensation Board.

CH – number of professional road user and non-professional road users. CH\* – number of professional road user, commuter and all third-party deaths. Data source: police records.

DE – number of professional road user and commuter deaths in private sector. Data source: German Social Accident Insurance (DGUV)

EE – number of professional road user deaths. Data source: Labour Inspectorate.

EL – number of professional road user deaths. Data source: police data.

ES – professional driver deaths. \*ES – commuter (who was driving or riding) deaths. Data source: Ministry of Employment and Social Security.

FR – number of professional traveller and third party deaths in collision with professional traveller. \*FR – number of professional and non-professional road user deaths. Data source: police records, average years 2012-2014.

IE – provisional number of professional driver deaths. Source: Road Safety Authority, average years 2014-2015

\*IE – number of professional road user and third party deaths. Data source: Drummond et al.<sup>26</sup> Average years 2008-2011.

IL – number of professional road user and commuter deaths. Average years 2012-2014. Data source: National Insurance Institute.

IT – number of professional road user deaths. IT\* – number of professional road user and commuter deaths. Data source: National Insurance Institute for Accidents at Work (INAIL).

SE – number of professional road user deaths. Data source: Work Environment Authority.

SI – number of professional road user deaths, year 2015. Data source: Ministry of Labour, Family, Social Affairs and Equal Opportunities.

<sup>26</sup> Drummond, A., Codd, M. & McQuillan, N. (2016) Fatal CRASH! Fatal collisions on the road and safety and health: Using narrative data from coroners, University College Dublin: IOSH, <https://tinyurl.com/zyqs22a>

## 1.5 WRR deaths by road user group

France, Switzerland, Germany, Spain, Greece and Estonia could provide the number of WRR deaths by road user group. Around 50% of all fatal WRR collisions are not reported in Greece. The numbers of WRR deaths by road user group in Estonia are small. In Germany and Spain data by road user group are collected in a different format than was asked in this report's questionnaire. Data from Greece, Estonia, Germany and Spain are excluded from Figure 2 and 3.

### 1.5.1 Work-related road (WRR) deaths in collisions involving professional drivers by road user group

Figure 2 shows the proportion, by road user group, of professional driver and third party deaths in collisions involving professional drivers in France and Switzerland.

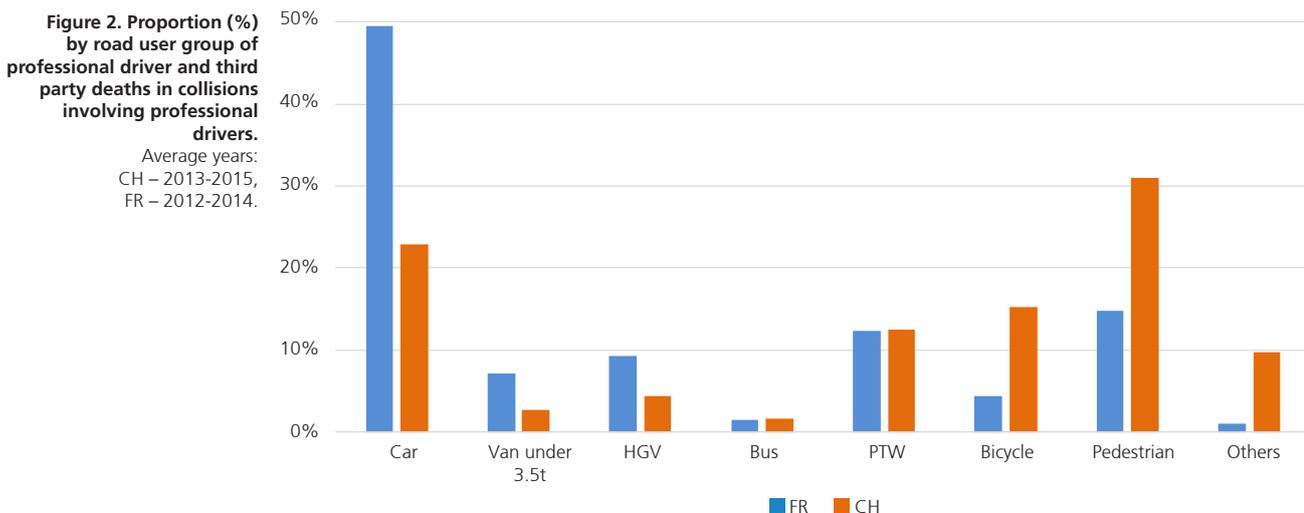
It can be assumed that the largest proportion of professional drivers are HGV, bus and van under 3.5 tonnes drivers. In France and Switzerland, HGV, bus and van under 3.5 tonnes occupants represent a relatively low proportion of road deaths in collisions involving professional drivers (Fig.2). The majority of those killed in such collisions are, presumably, the third party.

In France, the highest proportion of those killed in collisions involving professional drivers are car occupants (49%). In Switzerland, the proportion of car occupant deaths is 23%.

The largest proportion of road users killed in collisions involving professional drivers in Switzerland are pedestrians, who account for 31% of all road deaths in such collisions compared to 15% in France.

Bicycle riders represent 15% of all road deaths in collisions involving professional drivers in Switzerland and 4% in France.

In both countries 12% of those killed in collisions involving professional drivers are powered two-wheeler (PTW) riders.

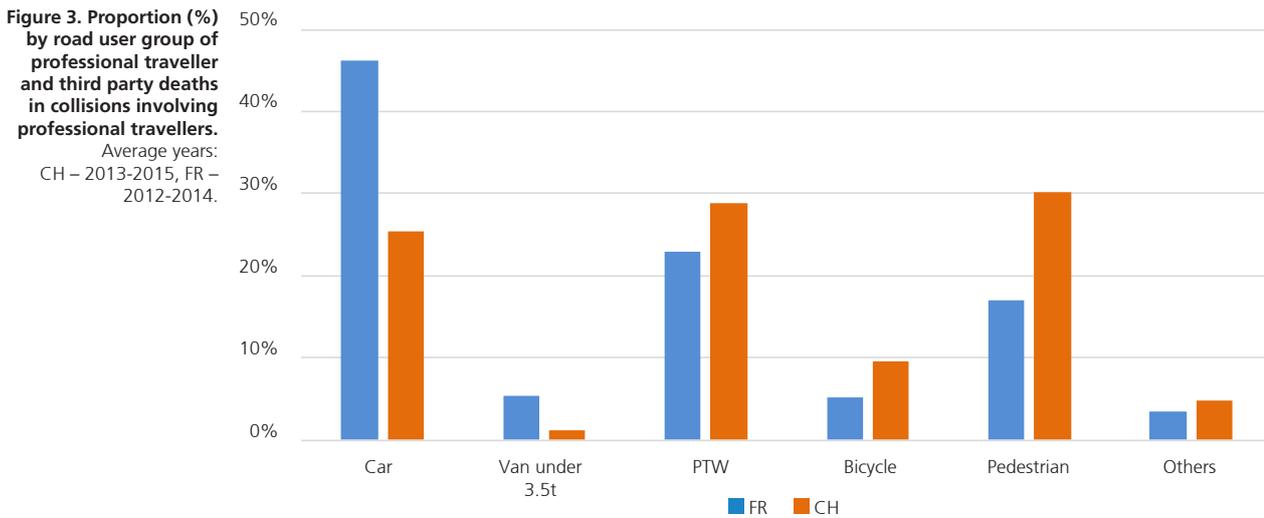


### 1.5.2 WRR deaths in collisions involving professional travellers by road user group

Figure 3 shows the proportion by road user group of professional traveller and third party deaths in collisions involving professional travellers (Fig.3).

In France, 46% of all road users killed in collisions involving professional travellers are car occupants, this proportion is 25% in Switzerland.

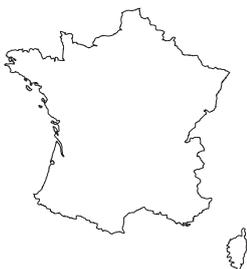
In Switzerland most road users killed in collisions involving professional travellers are pedestrians (30%) and PTW users (29%). In France pedestrians account for 17% and PTW users for 23% of all road deaths in collisions involving professional travellers.



### 1.6 Estimated value of prevention of WRR collisions

Putting a monetary value on the prevention of loss of human life and limb can be debated on ethical grounds. However, doing so makes it possible to assess objectively the costs and the benefits of road safety measures and helps to make the most effective use of generally limited resources.<sup>27</sup>

There are convincing economic arguments for improving work-related road safety. A number of ways to estimate the costs of WRR casualties exist, including healthcare costs, disability benefits, net production loss, willingness-to-pay indicators, material damage caused to organisations and others.



#### France: the cost of work-related road collisions estimated to represent 14% of the total cost of all accidents at work

In 2012, the French National Health Insurance Fund for Employees (CNAMTS) estimated that occupational road risk represented more than 6 million lost workdays at a cost of €725 million to companies - nearly 14% of the total cost of all accidents at work.<sup>28</sup>



#### Israel: over €64 million paid in 2014 to the victims of work-related road collisions

According to information on the amounts paid by the National Insurance Institute to the victims of work-related road collisions, over €64 million has been paid in terms of injury allowance, work disability benefits and dependents' pensions in 2014.<sup>29</sup>

<sup>27</sup> 10<sup>th</sup> PIN Report, Ranking EU progress on road safety (2016), <https://goo.gl/pw4wB7>

<sup>28</sup> The French National Health Insurance Fund for Employees, Dossier de presse, 9 février 2012, <https://goo.gl/MQDYQ9>

<sup>29</sup> Central Bureau of Statistics, Road accidents with casualties, <https://goo.gl/00MqgD>



### Recommendations to member states

- Adopt a national definition of work-related road collision within the road safety field that covers road deaths and serious injuries among professional road users, commuters, third parties and workers on the road and covers all road user groups; allow for a breakdown of professional road users, commuters, third parties and workers on the road deaths and serious injuries.
- Introduce a field indicating the 'purpose of the journey' in police collision reports which is applicable to all road user group deaths and injuries, including pedestrians and cyclists.
- Achieve accuracy and high completion rates of the 'purpose of the journey' field in police reports.
- Collect and analyse comprehensive data on the number of WRR deaths and serious injuries on an annual basis to establish a profile on work-related road collisions, their victims and causes. Use the data from WRR collisions profile to target and shape risk prevention interventions at national and EU level.
- Address work-related road safety in national road safety strategies by introducing measures to reduce work-related road deaths and serious injuries that cover all driving for work within and beyond the road freight transport sector.
- Create a data linkage system for coroner reports, OSH and road safety authorities to capture the real scope of work-related road deaths.
- Institutionalise collaboration between road safety and OSH authorities for improved work-related road death and injury data collection and improved policy addressing work-related road safety.
- Inform employers of the legal requirements related to WRR death and injury reporting.



### Recommendations to EU institutions

- Adopt a standardised EU definition of work-related road collisions within the framework of the road safety field that covers road deaths and serious injuries among professional road users, commuters, third parties and workers on the roads and covers all road user groups; allow for a breakdown of professional road users, commuters, road workers and third party deaths and serious injuries.
- Extend the CaDaS definition on the reporting of the purpose of journey to cover all road user groups, including pedestrians and cyclists; encourage EU member states to apply the CaDaS definition when collecting purpose of journey data.
- Encourage member states to report data on work-related road deaths and serious injuries to the European Commission's CARE database.
- Encourage member states to report data to Eurostat and improve Eurostat WRR death data reporting requirements to enable the breakdown of the number of WRR deaths that occur in different modes of transport.

# PART II

## NATIONAL LEGAL FRAMEWORK FOR WORK-RELATED ROAD SAFETY

**Table 6. National legal framework for work-related road safety.**

National legal framework for work-related road safety		Points attributed to yes	Points attributed to partially
Q1	Does the government provide guidance to employers and employees who drive for work to enable them to implement the requirements of Directive 89/391/EEC?	2	1
Q2	Could the employer be held legally responsible if their employee is involved in a work-related road collision [i.e when driving or travelling, travelling as a passenger for work or working on or near the road]?	1	0.5
Q3	Does the law oblige employers to identify who was driving a company vehicle when it was detected committing an offence by a safety camera?	2	1
Q4	Is it a legal obligation for employers to include commuting in the employees risk assessment in your country?	1	0.5
Q5	Does your country go beyond the requirements of the Directive 2003/59/EC on the Certificate of Professional Competence?	1	0.5
Q6	Does your country have any specific legislation addressing vehicle requirements used by professional drivers (e.g. auxiliary safety equipment and devices, telematics, direct auxiliary vision devices for trucks, vehicle underrun protection) additional/on top of the EU regulation?	1	-
Q7	Does your country have a law mandating alcohol interlocks in specified vehicles driven by professional drivers?	1	-
Q8	Are there designated enforcement or police officers who are trained to detect tachograph fraud in your county?	1	-
Q9	Has your country reached or exceeded the minimum threshold of checks of 3% days worked by drivers falling into the scope of Regulations 3820/85/EC and 3821/85/EC (2013 and 2014) <sup>30</sup>	<10% : 3 6-10% : 2 3-6% : 1	<3% : 0
<b>Total maximum points (if all questions were answered) 13 = 100%</b>			

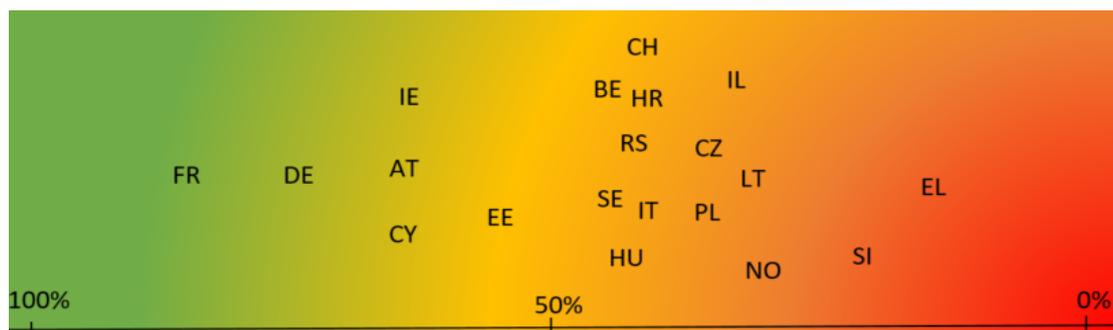
### 2.1 Country ranking for national legal framework for WRRS

France and Germany scored the highest number of points in Part II (Fig.4). No country reached the maximum 13 points.

France has not reached the maximum points because it does not go beyond the requirement of the Directive 2003/59/EC on the certificate of professional competence and it does not have specific legislation addressing vehicle requirements used by professional drivers. Germany has not reached the maximum points because there is no obligation for employers to identify a driver when a company vehicle has been detected committing a traffic law offence by a safety camera and it does not have a law mandating alcohol interlocks for professional drivers.

<sup>30</sup> Data for this question were extracted from EC (2017) Report from the Commission to the European Parliament and the Council on the implementation in 2013-2014 of Regulation (EC) No 561/2006 and of Directive 2002/15/EC, <https://goo.gl/HBpbFd>

**Figure 4. Country performance in 2017 for national legal frameworks for work-related road safety as a proportion (%) of maximum 13 points.** ES, FI, LU, LV, SK and UK are excluded from the figure as three or more questions of Part II were not answered.



When interpreting the results provided in Figure 4, the limitations of the ranking have to be taken into account. In the scope of this report it was not possible to evaluate the actual implementation and enforcement of the legal framework. Moreover, the list of questions addressed to countries on the national legal framework for WRRS is not exhaustive.

### 2.2 The EU Directive 89/391/EEC on Occupational Safety and Health

Duty of care, OSH and road safety compliance are legal necessities in all EU member states, and employers must take them into consideration.<sup>31</sup>

The most important piece of legislation in the EU addressing OSH is Directive 89/391/EEC on occupational safety and health.<sup>32</sup> The Directive lays down general principles concerning prevention, assessment and elimination of risks and accident factors, protection of safety and health, access to information, consultation and balanced participation and training of workers and their representatives.<sup>33</sup> The Directive requires every employer in the EU to undertake a work-related risk assessment according to the principles of prevention.<sup>34</sup>

Even though WRRS is not specifically mentioned in the Directive, it is a part of all the work-related risks that employees face and create for others. Therefore, it ought to be covered in employee risk assessments, but in practice this might not always be the case.

### 2.3 National guidance on implementation of the principles of the EU Directive 89/391/EEC in addressing work-related road safety (WRRS)

The principles of the Directive 89/391/EEC on work-related risk assessment can be implemented more efficiently if a government provides guidance focused on the employer’s obligations to manage risks associated with travelling for work.

Within the framework of the Directive 89/391/EEC, 11 out of 26 PIN countries (Table 7) encourage employers to take action on work-related road safety through different initiatives, including promotion and dissemination of guidance, leaflets, prevention campaigns and partnerships between the government, employers and employees. In Finland, non-governmental organisations play an important role in providing WRRS knowledge.

It is important that employers are aware of information sources on WRR risk management and that they apply the recommendations and guidelines in practice.

<sup>31</sup> ETSC, PRAISE (2015), Reducing road risk at work through procurement, <https://goo.gl/eMF4WP>

<sup>32</sup> Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work, <https://goo.gl/yF3cEh>

<sup>33</sup> European Agency for Safety and Health at Work, Directive 89/391/EEC, <https://goo.gl/9LN6wt>

<sup>34</sup> ETSC, PRAISE (2015), Reducing road risk at work through procurement, <https://goo.gl/eMF4WP>



### **Ireland: WRRS a joint priority of three state agencies**

In Ireland, WRRS is a priority goal for three state agencies: the Irish Health and Safety Authority (HSA)<sup>35</sup>, National Police Authority (An Garda Síochána) and the Road Safety Authority (RSA). Since 2009 there has been formal cooperation between the agencies to inform and advise employers of their responsibilities for work-related road safety.

The three agencies have developed a joint national program to influence improvement in WRRS particularly in the areas of driving for work<sup>36</sup>, working on or near the road and load securing. The programme includes awareness raising, enforcement, education, promotion, research and data analysis activities.

To date, a range of resources<sup>37</sup> have been jointly developed to help employers understand and manage work-related road risk including:

- Guidelines for employers on managing driving for work;
- Safe driving for work driver handbook;
- Driver health guidelines;
- Driving for work risk assessment checklist;
- Driving for work risk management case studies;
- Vehicle management videos and fact sheets;
- A free online course<sup>38</sup> aimed at educating employers about their legal obligations to manage WRRS.

Since 2010, the agencies have held joint annual seminars for employers on a region-by-region basis. The agencies work closely with a range of stakeholder groups representing employers, employees, educators and business sectors such as agriculture, construction and transport to influence the uptake and integration of the WRRS message.



### **UK: information on WRRS management provided by the Health and Safety Executive**

The UK Health and Safety Executive (HSE) provides extensive information on WRRS management online.<sup>39</sup> Amongst other activities, the HSE has published a guide for employers on workplace transport safety. The publication is addressed to any employer with employees who drive, or ride a motorcycle or a bicycle to work, as well as for the self-employed.<sup>40</sup> The guide introduces employers to their duties to ensure health and safety of all employees as required in the UK's Health and Safety at Work Act (1974). The publication consists of guidelines with a step-by-step approach and a check-list for managing WRRS. However, it is up to the employer to use the guidance to manage WRR risks.



### **France: National Health at Work Plan 2016-2020 aims to improve WRR risk management**

Work-related road safety is recognised as one of the key risks associated with health and safety at work in France's National Health at Work Plan 2016-2020. WRR deaths are one of the three leading causes of death at work in France.<sup>41</sup>

<sup>35</sup> Health and safety authority, <https://goo.gl/n1QuH7>

<sup>36</sup> Ibid

<sup>37</sup> Ibid

<sup>38</sup> Ibid

<sup>39</sup> Health and Safety Executive, Vehicles at work, <https://goo.gl/P317f4>

<sup>40</sup> Health and Safety Executive, Driving at work, <https://goo.gl/UDYPJN>

<sup>41</sup> Ministère du Travail, de l'Emploi, de la Formation professionnelle et du Dialogue social, Plan santé au travail 2016-2020, <https://goo.gl/UEO3xY>

An inspection conducted by the French Labour Inspectorate in 2011 revealed that only around 50% of companies working in the transport sector included work-related road risks in employees' risk assessment. Mostly small and medium-sized companies failed to manage employees' WRR risks. Within the framework of the Health at Work plan, three action areas are foreseen to address the problem:

- raise awareness and train employers working in certain industry sectors to evaluate and assess WRR risks and encourage employers to include WRR risks in employees' risk assessments;
- publish a statistical report to expand knowledge on WRR risks;
- raise awareness on the EU regulations related to WRRS and control their implementation.<sup>42</sup>

The Ministry of Work and Employment is responsible for implementing all three action areas.



#### **Italy: mobility managers for big companies**

Since 1998 companies with more than 300 employees based in one location or 800 employees working in different locations are legally obliged to have a mobility manager. The role of the mobility manager is to plan work-related road trips, to limit the use of private vehicles and to propose the best transport solutions for employees. The mobility manager is also responsible for road safety training activities at the company.



#### **Germany: support for employers in work-related road risk management**

The German Road Safety Council (DVR) offers all public and private companies and organisations a broad range of information and recommendations on how to improve WRRS for employees. Information provided by DVR also includes a risk assessment programme for commuters (GUROM). On this web-based platform employers can get all relevant information and ask for support on implementing WRRS management measures in the workplace.

---

<sup>42</sup> Ibid

Table 7. Country answers regarding the national legal framework on employers' responsibilities on work-related road safety.

	Q1: Does the government provide guidance to employers and employees who drive for work to enable them to implement the requirements of the Directive 89/391/EEC?	Q2: Could the employer be held legally responsible if his employee is involved in a work related road collision?	Q3: Does the law oblige employers to identify who was driving a company vehicle when it was detected committing an offence by safety camera?	Q4: Is it a legal obligation by employer to include commuting in the employees' risk assessment in your country?
AT	Yes	Yes	Partially	Partially
BE	Partially	Partially	No	Not available
CY	Yes	Yes	Yes	No
CZ	No	Yes	No	Not available
DE	Yes	Partially	No	Yes
EE	Yes	Yes	Yes	No
EL	No	Yes	No	No
ES	Yes	Yes	No	No
FI	Yes	Yes	Not available	Partially
FR	Yes	Yes	Yes	Yes
HR	Partially	Yes	Yes	Not available
HU	Not available	No	Yes	No
IE	Yes	Yes	Yes	Partially
IT	Partially	Partially	Partially	No
LT	No	Yes	Yes	No
LU	Not available	Not available	No	Yes
LV	Not available	Not available	No	No
PL	No	Yes	Yes	No
SE	Yes	Yes	No	No
SI	No	Yes	No	No
SK	No	Not available	Not available	No
UK	Yes	Yes	Yes	No
IL	No	Yes	Not available	No
NO	Yes	No	No	No
CH	Not available	Yes	No	No
RS	Not available	Yes	Yes	No

Yes
  Partially
  No
  Not available

## 2.4 The ISO international standard 'Road Traffic Safety Management System'

The ISO 39001 standard provides guidance for public and private organisations of all types and sizes on the state-of-the-art requirements for work-related road safety management. ISO management systems are based on the Plan-Do-Check-Act methodology which is a cyclical stepwise approach and requires strong leadership and commitment from senior management.<sup>43</sup> The aim of the ISO 39001 standard is to assist organisations in integrating WRRS as a core objective into their management system.<sup>44</sup>

The requirements of ISO 39001 include development and implementation of a road traffic safety (RTS) policy, development of RTS objectives and action plans and information about elements and criteria which can be controlled and influenced by the employer.<sup>45</sup>

<sup>43</sup> ETSC, PRAISE (2014), The business case for managing road risk at work, <https://goo.gl/6ktFeo>

<sup>44</sup> European Commission, Work-related road safety 2015, <https://goo.gl/kwSg27>

<sup>45</sup> International Organisation for Standardisation, ISO 39001:2012, <https://goo.gl/P1yD2a>

## 2.5 Employer responsibilities on WRRS

There are always risks associated with work-related road use and exposure to risks in the road environment as a working driver, rider, passenger or pedestrian. Even though the risks cannot be completely controlled, an employer has a responsibility to take all reasonable steps to manage the risks that professional road users face themselves and create for others when they use the roads for work. Employers have to undertake reasonably practicable measures to protect professional road users from harm in the same way as they would in any other place of work.<sup>46</sup> Professional road users themselves also have a responsibility to use the roads safely, in compliance with traffic laws and safety procedures laid down by the employer.

### 2.5.1 Legal responsibility of an employer in case of a WRR collision

In the majority of the PIN countries employers can be held legally responsible if their employees are involved in a work-related road collision (Table 7). However, in Hungary and Norway employers have no legal responsibility in case of a collision involving an employee.

There can be various situations when employers could be held legally responsible for a road traffic collision involving professional road users. These are cases when management failure played a part in a collision. For example, if an employer sets timetables or schedules that are so tight the professional road user has to break the legal speed limit or resting time regulations to meet them. Other cases can include professional road users driving without an appropriate driving licence with the approval of the employer, an employer's failure to inspect a vehicle's roadworthiness and failing to install recording equipment where appropriate.<sup>47</sup>



#### UK: Corporate Manslaughter and Corporate Homicide Act

A Corporate Manslaughter and Corporate Homicide Act was introduced in the UK in 2007. The act says that a public or private organisation can be capable of committing, be convicted of and be sentenced for a criminal offence. These are cases where the senior management representatives are seen to have been grossly negligent towards the safety of the company's employees. Prior to this legislation, prosecutions could only be directed to a single employee of the company who committed all the elements of the offence and was of sufficient seniority to be deemed the 'guilty mind'. Convictions were rare. The new act did not remove the existing legislation but now, in addition, an individual or an organisation can be prosecuted for corporate manslaughter.<sup>48</sup>

### 2.5.2 Identification of a company vehicle driver

In Croatia, Cyprus, Estonia, France, Hungary, Ireland, Lithuania, Poland, Serbia and the UK employers are obliged to identify the driver of a company vehicle if it was detected committing a traffic law offence (Table 7). There is no such obligation in Belgium, the Czech Republic, Greece, Germany, Latvia, Luxembourg, Sweden, Slovenia, Spain, Norway and Switzerland.

The absence of a legal obligation to report the offender hampers the ability of police to carry out effective traffic law enforcement. Drivers committing offences while driving company vehicles might not be sanctioned and demerit points for these offenders are not applied/withdrawn if the employer refuses to reveal the identity of the driver.

<sup>46</sup> Health and Safety Executive, Employers responsibilities, <https://goo.gl/dKjJWP>

<sup>47</sup> Health and Safety Executive (2001), Reducing at-work road traffic incidents, <https://goo.gl/YWdTmP>

<sup>48</sup> UCL, TRL, Strategic review of the management of occupational road risk, <https://goo.gl/l7SNey>



### France: employers' obligation to identify the driver of a company vehicle in case of a traffic law offence as from 2017

Before 2017, employers in France were not required to disclose the identity of a driver who had been detected by a safety camera committing a traffic law offence. In such cases, the employer had to pay the fine, but demerit points could not be applied to the offender's driving licence. A report by the administration inspectorate revealed that in 46% of the offences detected by safety camera in France that would have led to points withdrawal, no demerit point had been withdrawn because the offences had been committed by a driver driving for work.<sup>49</sup>

Since the entry-into-force in January 2017 of a new law, employers are obliged to identify the employee who committed a traffic law infringement. In case the employer fails to comply with this obligation, the fine can be as high as 750 €. <sup>50</sup>

### 2.5.3 Risk management for commuting

Commuters do not necessarily choose the safest routes for travelling to work. Commuting risks can be addressed by providing information to help commuters choose safer routes for whichever mode of transport they are using. Commuters typically prefer the quickest route to work which is not necessarily the safest. In case of employer refunds for commuting costs, the shortest distance is often taken as a reference for the calculation of the refund. It is therefore necessary to ensure that the road risk on commuting routes is minimised.<sup>51</sup>

France, Luxembourg and Germany are the only PIN countries where an obligation to include commuting in employees risk assessment exists (Table 7).

Employers can address commuting risks by introducing measures such as offering employees travel plans, promoting flexible and sustainable transport solutions, facilitating use of public transport and organising transport and car sharing tailored to the individual needs of employees.<sup>52</sup>

*France, Luxembourg and Germany are the only PIN countries where an obligation to include commuting in employees risk assessment exists*



### France: commuting risk assessment by employers

Including commuting in employees' risk assessment is required in France as a prevention strategy. This principle acknowledges the impact of changes in the work world. The increasing mobility of employees and the development of precarious work and non-standard working times have an effect on journeys between home and the workplace and, as a result, on exposure to road risk.



### Germany: Risk Assessment and Risk Evaluation of Company Related Mobility (the GUROM programme)

The GUROM programme opens up the possibility to carry out a risk assessment for all employee journeys - including commuting and travelling for work-related purposes. The programme provides a framework for creating a comprehensive risk management profile and proposes appropriate measures to manage all road risks. Implementation of the programme is not mandatory, but employers can decide to implement it on a voluntary basis.

<sup>49</sup> Ministère de l'Intérieur (2012), Rapport sur l'écart entre le nombre d'infractions constatées et le nombre d'infractions générant un retrait de points de permis de conduire, <https://goo.gl/dVEPVK>

<sup>50</sup> LOI n° 2016-1547 du 18 novembre 2016 de modernisation de la justice du XXIe siècle, <https://goo.gl/EUXtTC>

<sup>51</sup> ETSC, PRAISE (2010), Safer commuting to work, <https://goo.gl/PX5krv>

<sup>52</sup> Ibid



For more information and ETSC recommendations on commuting risk management read ETSC's PRAISE report (2010) Safer commuting to work. The report is available at [www.etsc.eu/PRAISE](http://www.etsc.eu/PRAISE)

## 2.6 The EU Directive 2003/59/EC on the Certificate of Professional Competence

In the framework of Directive 2003/59/EC<sup>53</sup>, member states issue a professional driver with a certificate of professional competence (CPC), certifying his or her initial qualification or periodic training. These skills and knowledge are kept up-to-date through periodic training.<sup>54</sup> One of the objectives of the Directive is to make drivers aware of the risks on the road and of accidents at work. The European Commission has published new proposals in order to revise qualification and training rules for lorry and bus drivers.<sup>55</sup>

Table 8 shows that the vast majority of EU member states rely on EU legislation in professional driver training. That is why it is important to have a high minimum standard of professional driver training across the EU. According to the information available to ETSC, only Belgium, Germany, Italy and Sweden go beyond the requirements of the CPC directive (Table 8).

Driver training can be an important tool to reduce work-related road risk. But it is only one part of an employer's road safety programme, which should also focus on issues such as management culture, vehicle safety, journey and safety of sites.<sup>56</sup> Formal defensive driver training for professional drivers taught at the workplace, combined in larger companies with a motivation and incentive system for crash-free driving, has been found to reduce the crash rate by around 20%.<sup>57</sup>

In-vehicle skills-based driver training is one type of training. Research suggests that driving is about more than just skills. Health, well-being, lifestyle, attitude, knowledge, hazard perception, attention to detail, hand eye co-ordination, concentration, anticipation and observation, coping with stress and aggressive driving and the reactions of others, are all important and should be reflected in the EU's CPC rules.<sup>58</sup>



### Germany: vocational qualifications

In Germany, a vocational qualification for professional drivers with a duration of three years is offered by private and public transport or haulage companies in the context of the dual vocational qualification system. The apprentices obtain the respective driving license and receive technical knowledge about the physics of driving and the vehicle, hazard perception, how to repair minor damage and defensive driving. It is a recognised official title that allows drivers to receive a higher salary and an enhanced professional reputation.<sup>59</sup>

<sup>53</sup> Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EC and repealing Council Directive 76/914/EC, <https://goo.gl/FvPlzv>

<sup>54</sup> ETSC, Position Paper (2017), Revision of Directive 2003/59/EC on the Initial Qualification and Periodic Training of Drivers of Certain Road Vehicles for the Carriage of Goods or Passengers, <https://goo.gl/zLMZz>

<sup>55</sup> EC Proposal for a Directive amending Directive 2003/59/EC on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers and Directive 2006/126/EC on driving licences <https://goo.gl/yzA7n0>

<sup>56</sup> ETSC Position paper (2017), Revision of Directive 2003/59/EC

<sup>57</sup> Ibid

<sup>58</sup> Ibid

<sup>59</sup> Berufenet, Berufskraftfahrer/in, <https://goo.gl/ZjlnGf>

## 2.7 Alcohol interlocks in specified vehicles driven by professional drivers

Driving under the influence of alcohol is less common in commercial and passenger transport compared to private transport. However, alcohol-related road collisions in commercial transport tend to result in more serious outcomes due to the size and mass of commercial vehicles. The number of people injured in such collisions may be high in cases where the vehicle is operated by public transport companies and passenger carriers.<sup>60</sup> The installation of alcohol interlocks is a guarantee for both management and the drivers that they are always compliant with drink driving laws.

France and Finland are the only PIN countries where laws mandating alcohol interlocks in specified vehicles driven by professional drivers have been introduced (Table 8). In Finland alcohol interlocks are mandatory in school buses. In France alcohol interlocks are mandatory on all coaches used for public transport.

**Table 8. Country answers regarding national legal frameworks addressing professional drivers.**

	Q5: Does your country go beyond the requirements of the Directive 2003/59/EC on the Certificate of Professional Competence?	Q6: Does your country have any specific legislation addressing vehicle requirements used by professional drivers?	Q7: Does your country have a law mandating alcohol interlocks in specified vehicles driven by professional drivers?	Q8: Are there designated enforcement or police officers who are trained to detect tachograph fraud in your country?
AT	Red	Red	Red	Green
BE	Green	Green	Red	Green
CY	Orange	Green	Red	Green
CZ	Red	Orange	Red	Green
DE	Green	Green	Red	Green
EE	Red	Red	Red	Green
EL	Red	Red	Red	Green
ES	Grey	Grey	Red	Grey
FI	Grey	Grey	Green	Orange
FR	Red	Red	Green	Green
HR	Red	Red	Red	Green
HU	Red	Red	Red	Green
IE	Red	Grey	Red	Green
IT	Green	Red	Red	Green
LT	Red	Red	Red	Green
LU	Grey	Grey	Red	Green
LV	Grey	Red	Red	Green
PL	Red	Red	Red	Green
SE	Green	Red	Red	Green
SI	Red	Red	Red	Green
SK	Red	Grey	Red	Green
UK	Grey	Grey	Grey	Grey
IL	Red	Green	Red	Green
NO	Red	Red	Red	Green
CH	Grey	Green	Red	Green
RS	Red	Red	Red	Green

Yes
  Partially
  No
  Not available

<sup>60</sup> ETSC, PRAISE, How can in-vehicle safety equipment improve road safety at work? <https://goo.gl/pmH2IZ>

## 2.8 The EU Regulation 561/2006/EC on driving times and rest periods

The Regulation 561/2006/EC<sup>61</sup> provides a common set of EU rules for maximum daily and weekly driving times, as well as daily and weekly minimum rest periods for all drivers of road haulage and passenger transport vehicles.

A major risk factor affecting HGV and passenger transport vehicle drivers is fatigue. Research shows that driver fatigue is a significant factor in approximately 20% of collisions involving commercial vehicles.<sup>62</sup> In many cases fatigue-related collisions have very severe consequences.

Regulation 561/2006/EC covers road haulage and passenger transport drivers but does not apply to vans below 3.5 tonnes. As a rule of thumb, no driver should be required to drive continuously for more than two hours without at least a 15-minute break. Breaks and break locations should be planned in advance of starting journeys.<sup>63</sup>



For more information and ETSC recommendations on van safety read ETSC's PRAISE report (2014) Managing the road risk of van fleets. The report is available at [www.etsc.eu/PRAISE](http://www.etsc.eu/PRAISE)

## 2.9 Tachograph enforcement

A tachograph is a recording device, fitted to commercial vehicles with a mass exceeding 3.5 tonnes. The device stores details of the movement of vehicles and of certain work periods of their drivers. The recording of the driver's individual duty periods is mandatory in some commercial vehicles in EU countries for enforcement of driving-time regulations.<sup>64</sup>

Compliance with the provisions of Regulation 561/2006/EC<sup>65</sup> is dependent on regular monitoring and controls, which are carried out at the national and international level by checking tachograph records at the road side and at special tachograph check premises.<sup>66</sup>

In order to monitor compliance with this Regulation, member states have to ensure that designated control officers are appropriately trained for the analysis of the data recorded in order to achieve efficient and harmonised control and enforcement.<sup>67</sup> For 23 countries PIN panellists were able to confirm that their countries have designated enforcement or police officers trained to detect tachograph fraud (Table 8).

Ten countries - Austria, Belgium, the Czech Republic, Croatia, Germany, Lithuania,

<sup>61</sup> Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85, <https://goo.gl/52bg8u>

<sup>62</sup> ETSC, PRAISE (2011), Tackling Fatigue: EU Social Rules and heavy goods vehicle drivers, <https://goo.gl/VoMDlu>

<sup>63</sup> Ibid

<sup>64</sup> Ibid

<sup>65</sup> Regulation (EC) No 561/2006 of the European Parliament and of the Council of March 2006 on the harmonization of certain legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85, <https://goo.gl/fylmRV>

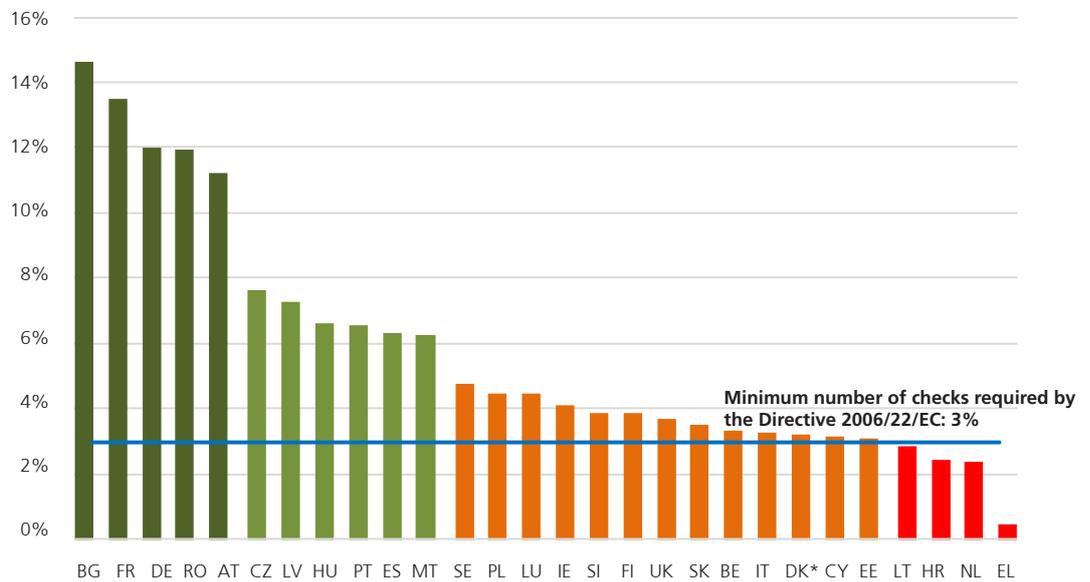
<sup>66</sup> European Commission, Driving time and rest periods, <https://goo.gl/uEstKI> Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport on the harmonisation of certain social legislation relating to road transport Text with EEA relevance, <https://goo.gl/9mj046>

<sup>67</sup> Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport on the harmonisation of certain social legislation relating to road transport Text with EEA relevance, <https://goo.gl/9mj046>

Sweden, Israel, Switzerland and Serbia - have specific targets for traffic law enforcement for HGVs. The national targets on the number of lorry checks largely coincide with the minimum enforcement requirements of the Directive 22/2006/EC<sup>68</sup> to cover at least 3% of days worked by drivers falling within the scope of Regulation 561/2006/EC.

The European Commission's report on the implementation of Regulation 561/2006/EC shows that, overall, the number of road haulage and passenger transport checks in the EU exceeds the minimum requirement of 3%. In Bulgaria over 14% of driver working days were checked over the period 2013-2014, 13% in France, 12% in Germany and Romania and 10% in Austria. However, Greece, Croatia, the Netherlands and Lithuania did not reach the minimum enforcement requirement over the period 2013-2014 (Fig.5).<sup>69</sup>

**Figure 5. Proportion (%) of working days checked worked by drivers falling within the scope of Regulations 3820/85/EC and 3821/85/EC (2013 and 2014).**  
\*DK – number of vehicles checked at the roadside is not included.<sup>70</sup>



<sup>68</sup> Directive 22/2006/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC, <https://goo.gl/ynfXFX>

<sup>69</sup> EC (2017) Report from the Commission to the European Parliament and the Council on the implementation in 2013-2014 of Regulation (EC) No 561/2006 on the harmonisation of certain social legislation relating to road transport and of Directive 2002/15/EC on the organisation of the working time of persons performing mobile road transport activities (28th report from the Commission on the implementation of the social legislation relating to road transport), <https://goo.gl/HBpbFd>

<sup>70</sup> EC (2017), report from the Commission to the European Parliament and the Council on the implementation in 2013-2014 of Regulation (EC) No 561/2006, <https://goo.gl/HBpbFd>



### Recommendations to member states

- Provide guidance to company managers on how to conduct a work-related road risk assessment, with supporting examples and case studies.
- Support employers in fulfilling the requirements needed to undertake a work-related road risk assessment.
- Develop work-related road risk management materials which are accessible and relevant for small and large organisations.
- Promote the business case through targeted information dissemination to employers about investing in and benefitting from work-related road safety.
- Promote good practice on reducing commuting collisions by pro-active employers that have chosen company locations with good links to local public transport, set up a collection service (work buses), car share schemes and encourage staff to switch to public transport.
- Oblige employers to reveal the identity of an employee if they committed a traffic offence which has been recorded by a safety camera.
- Encourage employers via financial incentives to fit and purchase vehicles with in-vehicle technologies that have a high life-saving potential.
- Dedicate resources to adequate enforcement for road haulage and passenger transport vehicles as required by Directive 2006/22/EC<sup>71</sup>.
- Legislate alcohol interlock use by professional drivers.

<sup>71</sup> Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC, <https://goo.gl/yfnfXFX>



### Recommendations to EU institutions

Within the context of the revision of Directive 2003/59/EC concerning the Certificate of Professional Competence<sup>72</sup>:

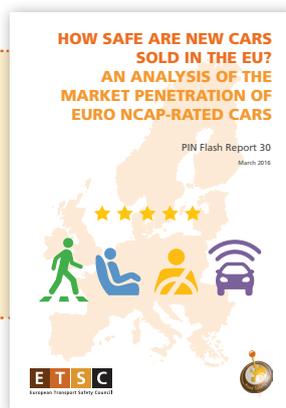
- Support amendments to periodic training requirements to ensure that they include at least one road safety related topic, are up-to-date with the latest developments in relevant technology, legislation and are relevant to the driver.
- Support the European Commission proposal to include driver awareness of what it is like to be a cyclist or pedestrian interacting with large vehicles.
- Extend the scope of the Directive under Article 1 to cover van drivers.

Within the context of the revision of Regulation 561/2006/EC concerning Driving Times and Rest Periods:

- Work towards consistent levels of enforcement of working time across the EU.
- Ensure that member states respect the amount of checks to be organised as referred to in Article 2 (3) of Directive 2006/22/EC.

Within the context of the revision of Regulation 2009/661/EC concerning Type-Approval Requirements for the General Safety of Motor Vehicles<sup>73</sup>:

- Extend the mandatory fitment of advanced seat belt reminders as standard equipment to all seats.
- Adopt legislation for fitting all new vehicles with an overridable assisting Intelligent Speed Assistance (ISA) system.
- Adopt legislation for the mandatory fitting of all new cars and light trucks and vans under 3.5 tonnes with Autonomous Emergency Braking (AEB) systems.
- Mandate Event Data Recorders (EDRs) in all new vehicles and require the data to be made available for collision investigation.
- As a first step towards wider use of alcohol interlocks, legislate their use by professional drivers as soon as possible.
- Extend the mandatory use of speed limiters (as exists for HGVs and buses) to vans.



For more information and ETSC recommendations on car safety read ETSC's PIN Flash report 30 (2016): "How safe are new cars sold in the EU? An analysis of the market penetration of Euro NCAP-rated cars". Report is available at [www.etsc.eu/PIN](http://www.etsc.eu/PIN)

<sup>72</sup> For more ETSC recommendations on the Directive 2003/59/EC read ETSC's position paper (2017): <https://goo.gl/5Et64q>

<sup>73</sup> For more ETSC recommendations Regulation 2009/661/EC read ETSC's position paper (2017): <https://goo.gl/sJqAZK>

# PART III

## PUBLIC AUTHORITY LEADERSHIP IN MANAGING WORK-RELATED ROAD RISKS

**Table 9. Public authority leadership in addressing work related road safety.**

	Are public authorities in your country seen to show leadership in:
Q1	Purchase or renting of safe vehicles?
Q2	Fitment of non-mandatory additional safety equipment in vehicles they own, lease, rent or control?
Q3	Extending their own agency requirements around vehicle management and use to contractors?
Q4	Establishing safe travel plans for employees?

### 3.1 Country information on public authority leadership in addressing WRRS

In recent years, awareness of the importance of WRRS in public authorities has been growing. Public authorities are employers who have a considerable capacity to improve WRRS given the large vehicle fleets they operate and the large number of employees that drive for work-related purposes and commute. In several European countries some public authorities have started to show leadership in addressing WRRS for their employees (Table 10). Some influence the demand for WRRS by setting road safety requirements through public procurement policies.<sup>74</sup>

It is important that public authorities adopt WRRS policies to encourage a pro-active WRRS management approach among private organisations. Moreover, government leadership gives more credibility to WRRS programs and guidelines in general.<sup>75</sup>

<sup>74</sup> ETSC, PRAISE (2015), Reducing road risk at work through procurement, <https://goo.gl/eMF4WP>

<sup>75</sup> Murray W. et. al. (2008), Sources of data on occupational road safety: an international review, <https://goo.gl/BrbWpp>

**Table 10. Country answers regarding public authorities' leadership in addressing work-related road safety.**

Are public authorities in your country seen to show leadership in:				
	Q1: Purchase or renting of safe vehicles?	Q2: Fitment of non-mandatory additional safety equipment in vehicles they own, lease, rent or control?	Q3: Extending their own agency requirements around vehicle management and use to contractors?	Q4: Establishing safe travel plans for employees?
AT	Red	Red	Red	Red
BE	Red	Red	Orange	Red
CY	Red	Green	Green	Red
CZ	Red	Red	Red	Red
DE	Green	Green	Green	Orange
EE	Orange	Orange	Orange	Orange
EL	Red	Red	Red	Red
ES	Green	Green	Red	Green
FI	Green	Red	Green	Red
FR	Grey	Grey	Green	Green
HR	Orange	Orange	Grey	Green
HU	Red	Red	Red	Red
IE	Orange	Orange	Orange	Orange
IT	Green	Green	Red	Red
LT	Red	Red	Red	Red
LU	Red	Red	Red	Red
LV	Orange	Orange	Red	Red
PL	Red	Red	Green	Red
SE	Orange	Orange	Orange	Orange
SI	Green	Orange	Green	Red
UK	Red	Red	Orange	Red
IL	Orange	Orange	Orange	Green
NO	Orange	Green	Orange	Orange
CH	Red	Red	Red	Red
RS	Red	Red	Red	Red

Yes
  Partially
  No
  Not available

### 3.2 Procurement of safe vehicles by public authorities

Efforts to manage WRR risks through the procurement of safe vehicles by public authorities have a direct effect on employees. The influence can be extended when choosing contractors for the supply chain. Responsibility starts with the purchaser who has a duty to ensure that the conditions applied when choosing a contractor fulfil the organisation's obligations on road safety.<sup>76</sup> Vehicle selection is an important aspect of preventing collisions or mitigating the consequences in cases when collisions are unavoidable. Vehicles that demonstrate best-in-class status for overall safety should be chosen and made available to employees of public organisations.

Some public authorities in Belgium, Cyprus, Germany, Estonia, Finland, France, Ireland, Poland, Sweden, Slovenia, the UK, Israel and Norway extend their own agencies' policy on safer vehicles when setting requirements for contractors (Table 10).

Overall, there are no harmonised strategies on leadership by public authorities in addressing WRRS at national level in the PIN countries. WRRS initiatives come from individual public authorities.

<sup>76</sup> ETSC, PRAISE (2015), Reducing road risk at work through procurement, <https://goo.gl/eMF4WP>

### Transport for London (TfL)

TfL is a local public authority responsible for the planning and delivery of the majority of London's transport system and services in Greater London. It has committed to reducing death and serious injury on London's roads by 50% by 2020 compared to 2005-2009 base year average.

TfL has taken a lead in managing Work-Related Road Safety (WRRS) within its supply chain by introducing specific WRRS requirements into procurement contracts. This decision was made taking into account that the basic legal minimum safety requirements for commercial vehicles are insufficient for the urban environment and for protection of vulnerable road users. TfL has worked with industry to determine existing good practice and applied additional vehicle safety requirements throughout their supply chain. These include:

- Vulnerable road user warning signage;
- Under-run protection on both sides;
- Audible alert for vehicles turning left;
- Front, side and rear blind spots minimised as much as is practical through direct and indirect vision aids, such as class VI mirrors and audible driver alerts;
- Buses fitted with mandatory Intelligent Speed Assistance (ISA) systems to prevent buses from speeding.

In Greater London, TfL encourages local public authorities to use both their buying power and their legal powers to manage WRR risks within their jurisdictions.<sup>77</sup>

### The Finnish Transport Safety Agency (TraFi)

TraFi has produced its own internal guide for vehicle purchase. The guide outlines that only cars awarded with a 5-star Euro NCAP safety rating can be purchased for the use by the agency. Moreover, safety performance in pedestrian protection must be taken into account. The same requirements are applied to lease cars.

### Sweden: requirements for alcohol interlocks

Public authorities in Sweden set a target to have at least 75% of their owned or leased vehicle fleet equipped with alcohol interlock devices by 2012. This goal has not yet been reached - around 38% of vehicles bought by Swedish public authorities had an alcohol interlock installed by 2015.

### Swedish Transport Administration: 5-star Euro NCAP requirement

The Swedish Transport Administration, a government body, is leading the way in terms of improving vehicle safety by setting high vehicle safety standards for its fleet - it demands 5 Euro NCAP star cars. The Swedish Government also requires all government bodies to use cars with high occupant and pedestrian protection scores.<sup>78</sup>

---

<sup>77</sup> ETSC, PRAISE (2016), Case study: Transport for London, <https://goo.gl/mZ3YU2>

<sup>78</sup> ETSC, PIN Flash report 30 (2016), How safe are new cars sold in the EU? An analysis of the market penetration of Euro NCAP-rated cars, <https://goo.gl/xSNkOr>

### 3.3 Safe travel plans for employees

A travel plan should offer practical measures to reduce the cost and environmental impact of work-related travel by giving staff realistic and cost-effective alternatives to their car. Travel plans promote flexible and sustainable transport solutions, such as car share schemes, working from home and cycle facilities, and can be tailored to specific business needs. A travel plan is about encouraging people to use cars more wisely and offering them safer alternatives. Travel plans should also encourage safe and fuel-efficient modes of transport. Less travelling means lower fuel costs, lower fleet risks and fewer operational costs.<sup>79</sup>

Some public authorities in Croatia, Spain, France, and Israel have adopted safe travel plans for their employees (Table 10).



#### Recommendations to member states

- Lead by example and adopt WRRS management programmes for government and public authority fleets and include vehicle safety in public procurement requirements.
- Develop specific guidance for integrating WRRS into public procurement.
- Encourage co-ordination between occupational safety and health, road safety and national procurement authorities on strategies to integrate WRRS requirements into the procurement process.
- Establish a centralised certification service for suppliers who are in compliance with work-related road risk management legal requirements and have safe work policies.



#### Recommendations to the EU

- Lead by example and adopt work-related road safety management programmes for the EU institutions and their vehicle fleets and include vehicle safety in public procurement.
- Invite the EU High Level Group on Road Safety to consider national incentives to integrate safety requirements into procurement.
- Encourage national authorities to set up certification schemes for contractors on work-related road safety.
- Extend liability responsibility and appropriate risk management and preventative measures throughout the EU's own procurement supply chain.
- Develop specific guidance for integrating WRRS into public procurement.

<sup>79</sup> ETSC, PRAISE (2016), Managing grey fleet safety, <https://goo.gl/peJCMx>

# PART IV

## INTERVIEW WITH LUANA BIDASCA



*Luana Bidasca*

**ETSC's PRAISE project has promoted improvements in work-related road safety since 2009. In this interview, outgoing project manager Luana Bidasca describes the inspiration behind the project and some of the key findings for employers, EU member states and the EU.**

**ETSC:** What was the aim when setting up the PRAISE project?

The first step to tackling a problem is acknowledging that there is one. Our starting point was looking at statistics that showed road traffic deaths accounted for 39 percent of deaths at work in 2005. Large numbers of people were, and still are, dying or being injured while travelling for work or commuting.

ETSC launched the PRAISE project in 2009 with the support of the European Commission in order to raise awareness among employers about the need to reduce road risk. The project is currently supported by Fundación MAPFRE, the German Road Safety Council (DVR) and the Dräger Foundation.

The programme promotes the need for work-related road safety management and provides know-how to employers who are taking on that responsibility.

The project also shows that work-related road safety management can bring benefits to businesses in other areas like healthy lifestyles and environment and can help companies fulfil legal responsibilities and increase profits, for example through lower insurance premiums and reduced employee sick-leave.

ETSC has developed practical tools for employers including reports on topics such as risk assessment and training and making the business case for road safety as well as simple infographics to help get the main messages across in an accessible way.

PRAISE also showcases employer stories with annual awards, a series of case studies and interviews on very diverse topics such as speed management tools, young driver management and safety at construction sites.

**ETSC:** What are the first steps for companies that want to improve road safety?

There are many things that organisations can do to reduce road risk. It begins with practical steps like risk assessing drivers and training, but fundamentally it's crucial that the topic becomes a management issue adopted across the organisation with a solid strategy, assigned responsibilities and good internal communication.

**ETSC:** What can member states do to address the issue?

An important part of the job for member states is to ensure companies fulfil their existing obligations such as making sure the EU Directive on Risk Assessment is applied properly to the transport sector and putting in place proper mechanisms for the Certificate of Professional Competence Directive to be applied in a consistent way.

But there are also a number of positive examples of national fora set up to enable employers to access information on setting up road safety programmes and exchange with peers on the benefits of investing in road safety. Such schemes have been established in Belgium (Trucksafe), Ireland (Joint program of the Road Safety

Authority and the Health and Safety Authority), the UK (through the national schemes set up by Transport for London: FORS and CLOCS) and in France (Committee for the Prevention of Occupational Road Accidents).

**ETSC:** What should the European Commission be doing to address road safety at work?

In terms of legislation, the European Commission must look at extending the rules on driver training and certification, currently in place for bus and HGV drivers, to van drivers.

Regarding periodic training of professional drivers, the syllabus should be expanded to include danger recognition, reinforcement of safe driving including the ability to anticipate, assess and adapt to risks in traffic and dealing with stress and aggressive driving<sup>80</sup>.

The European Commission on 31 May 2017 proposed new driving and rest time rules for bus and coach drivers throughout Europe. This is an opportunity to improve the current legislation and shorten the driving hours for drivers and improve social and working conditions for transport workers. This will bring safety benefits through reduced stress and fatigue.

**ETSC:** How can reporting on work-related road (WRR) deaths and injuries be improved in the EU?

Reporting on WRR deaths and injuries can be improved in the EU with a common definition of what constitutes a work-related road death or injury. There is a surprising amount of variation across the EU which makes comparison difficult at the moment. The recent agreement on using the MAIS 3+ standard for classifying serious road injuries is an example of how the EU can lead on this crucial aspect of data consistency.

At the national level, governments can do more by taking responsibility for work-related road safety and implementing targets in their national road safety strategies.

Having an all-inclusive definition of a work-related road death, similar to the one used by ERSO (road crashes involving at least one driver/rider who was "at the site of work, during work journeys and commuting to and from work"), would make it easier for police officers to record the occurrence in a consistent way.

Compulsory reporting of work-related road deaths and serious injuries would give organisations an incentive to act proactively to improve their safety record. It would also make it easier for companies with poor safety records to be prosecuted, with stiff penalties applied if poor safety management were found to be at fault.

Experts agree that compulsory reporting to national labour inspectorates or health and safety authorities, along with consistent recording of journey purpose in official collision statistics, would give a fuller picture of the scale and causes of at-work driver collisions and enable targeted prevention efforts.

**ETSC:** How should national authorities that have produced road risk assessment guidelines make sure employers implement them?

Legislation can yield positive results. The UK has a specific legislative framework for work-related road safety with stiff penalties for serious breaches of duty of care and periodic guidance.

One of the long-standing recommendations of PRAISE is for national authorities to ensure that employers draft a road safety plan in compliance with EU legislation.

Reaching out to employers through national fora and guidelines, websites and easy-to-use handbooks as well as training and open sessions with employers are different ways to support organisations implement legislation.

---

<sup>80</sup> ETSC, Position Paper (2017), Revision of Directive 2003/59/EC on the Initial Qualification and Periodic Training of Drivers of Certain Road Vehicles for the Carriage of Goods or Passengers, <https://goo.gl/zLzLMZz>

There is also a new global standard for organisations in road safety management and its assessment.

Companies can also be incentivised through public procurement that stipulates certain criteria on road safety.

Guidelines can also be a useful tool. An example of good practice comes from The Swedish Work Environment Authority which has provided national guidance for employers on occupational road safety including a reference to the EC Directive 89/391 on health and safety at the workplace with clear acknowledgement that the vehicle is part of the workplace. The authority encourages employers who operate vehicles as part of their work to develop road safety policies and programmes and monitor employee compliance with the rules.

Certification schemes and quality labels can also push the industry in the right direction. In the UK, Transport for London has introduced road safety clauses into their contracts as part of its commitment to improving road safety and minimising the risk of commercial vehicles in urban areas. The requirements are part of TfL's standard contract terms and conditions and are applicable to all contracts that require a commercial vehicle to be used for delivery and servicing activities. This typically includes construction, maintenance and servicing contracts. The key requirements comprise:

- Driver training, including approved driver training (Safe Urban Driving) and FORS e-learning (the quality label and toolkit subsequently introduced to assist compliance).
- Technical requirements for vehicles including close proximity sensors, rear facing CCTV or Fresnel lens and sideguards.

**ETSC:** Should employers be held responsible for work-related road deaths and injuries? Is there a legal framework for this?

Having a legal responsibility for road safety in place offers a strong incentive to employers to comply with the relevant legislation and guidelines on work-related road safety.

According to ERSO<sup>81</sup>, following a research programme carried out since the late 1990s into work-related road safety, the UK made a provision for the application of health and safety at work law to on-the-road work activities.

Going beyond the existing EU legislation, UK employers have a specific duty to manage risk on the road as part of their health and safety responsibilities. This entails carrying out risk assessments to see what 'reasonably practicable measures' are needed to ensure 'safe systems of work' for their employees while on the road.

More recently, the Corporate Manslaughter and Corporate Homicide Act 2007 specified that companies and organisations can be found guilty of corporate manslaughter as a result of serious management failures resulting in a gross breach of a duty of care.

Other countries should adopt a similar framework.

**ETSC:** Should employers manage employee commuting risks?

Yes. In many workplaces, the trip to and from work is the most risky aspect of occupational safety (particularly office work). Commuting collisions also typically lead to longer absences from work than other occupational accidents.

In some countries employers have a legal obligation to compensate, through their insurance, road traffic collisions that occur during commuting time (France is one example<sup>82</sup>).

---

<sup>81</sup> European Commission, Work-related road safety (2015), <https://goo.gl/nJwDrX>

<sup>82</sup> As illustrated in the PRAISE Report (2010) Safer Commuting to work: <https://goo.gl/sOlj3q>

## European Transport Safety Council

20 Avenue des Celtes  
B-1040 Brussels  
dovile.adminaite@etsc.eu  
Tel: +32 2 230 4106  
[www.etsc.eu/pin](http://www.etsc.eu/pin)  
🐦 @ETSC\_EU

