



**COUNCIL OF  
THE EUROPEAN UNION**



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PRESSE 316

## **Directive on cross-border exchange of information on road safety offences adopted**

The Council today adopted, on the basis of a text agreed with the European Parliament in second reading, a directive on cross-border exchange of information on road traffic offences ([44/11](#), [14251/11 ADD 1](#) + [ADD 2](#)). Member states will have two years following the publication of the directive in the EU's Official Journal to transpose it into their national legislation.

The objective of this directive is to combat road traffic offences that considerably jeopardise road safety, by facilitating cross-border exchange of information. A member state in which an offence has been committed with a vehicle registered in another member state will be able to identify the holder of the vehicle and investigate who is personally liable for the offence, so that sanctions can be enforced. This will also help ensure equal treatment of drivers irrespective of their country of residence. According to an impact assessment carried out by the Commission, up to 5 000 lives could be saved every year by the application of such a measure.

The directive covers the four traffic offences which cause the most road casualties in Europe, namely speeding, driving under the influence of alcohol or drugs, non-use of a seat belt and failing to stop at a red light. According to the Commission's impact assessment study completed in 2007, which gives estimates for the year 2004, 30% of road deaths were caused by speeding, 25% by drink-driving, 17% by non-use of seat belts, and around 4% by failing to stop at a red traffic light. In other words, some 75% of all road deaths are caused by one (or more) of these four traffic offences. Three further offences also fall within the scope of the directive: failing to wear a safety helmet, use of a forbidden lane (such as emergency or public transport lanes), and illegally using a mobile phone while driving. The list may be extended in the future through a revision of the directive.

# **P R E S S**

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Under the new legislation, member states will allow each other access to vehicle registration data for identification of the holder or owner of the vehicle with which the offence has been committed. Once that person is identified, the member state in which the traffic offence took place will send him or her a letter setting out the details of the offence committed and the fine imposed in accordance with its law. In any case, it will depend on the member state in which the offence has been committed and on its national law to determine whether and how the offence will be prosecuted.

The United Kingdom, Ireland and Denmark, due to their special position under the Lisbon treaty with regard to policy cooperation, do not participate in this measure, but may decide to join in later.

Currently, traffic offences are often not punished if they are committed with a vehicle which is registered in a member state other than the member state where the offence has been committed, in particular if the offences are automatically registered using road-side cameras without direct contact between the driver and the police. Public acceptance of a general legal enforcement is vital if casualties are to be reduced. Such acceptance, though, may be undermined if there is a general feeling that non-resident drivers are not held responsible for the offences they commit. While non-residents represent around 5% of the road users in the EU countries for which such data are available, the proportion of non-resident drivers committing speeding offences is in the range of 2.5% to 30%<sup>1</sup>. These figures suggest that non-resident drivers are relatively more involved in speeding offences than resident drivers<sup>2</sup>.

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<sup>1</sup> 2.5% in Denmark, 4% in Finland, 6% in the Netherlands, 8% in Catalonia (Spain), 14% in Belgium, 15% in France, and 30% in Luxembourg.

<sup>2</sup> In France, for instance, their share in traffic is 5.5%, but their share in offences 15%. The corresponding figures in the Netherlands are 4.1% traffic share, but 6% share in offences.