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### Inland Transport Committee

#### Working Party on Road Transport

##### 105th session

Geneva, 29 September–1 October 2010

## Report of the Working Party on Road Transport on its 105th session

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## **I. Attendance**

1. The Working Party on Road Transport (SC.1) held its 105th session in Geneva from 29 September to 1 October 2010 under the chairmanship of Mr. B. Oudshoorn (Netherlands). The following United Nations Economic Commission for Europe (UNECE) member States were represented in the meeting: Austria, Azerbaijan, Belarus, Belgium, Czech Republic, Estonia, Finland, Germany, Hungary, Iran (Islamic Republic of), Italy, Latvia, Netherlands, Norway, Russian Federation, San Marino, Spain, Sweden, Switzerland, Turkey, Ukraine and Uzbekistan.

2. The European Commission (EC), Organization of the Black Sea Economic Cooperation and the following non-governmental organizations (NGOs) were also represented: Council of Bureaux of the Green Card System, International Road Transport Union (IRU), the Confederation of Organizations in Road Transport Enforcement (CORTE) and Automotive AG as an observer.

## **II. Introduction**

3. Ms. E. Molnar, the Director of the Transport Division, welcomed the participants and underlined issues of particular interest. These include: entering into force of Amendment 6 of the AETR on 20 September 2010; implementation of the digital tachograph as a result of the recently achieved transitional arrangement among Contracting Parties to AETR; start of a new amendment procedure for the AETR; introduction of road safety audits into the AGR; and harmonization of practices in different countries in the ECE region.

4. Ms. Molnar highlighted a number of “emerging” issues:

(a) safety at level crossings: possible establishment of a multidisciplinary group of experts representing road infrastructure, road traffic safety and railways;

(b) km-based road pricing: an issue that attracts attention of many countries; this could be considered as a new item in the agenda of SC.1;

(c) preparation and launching of a questionnaire concerning the implementation of AGR standards;

(d) inland transport security;

(e) making electric vehicles audible.

## **III. Adoption of the agenda (agenda item 1)**

5. The Working Party adopted its agenda without changes.

## **IV. Adoption of the report of the 104th session (agenda item 2)**

6. The Working Party adopted the report of its 104th session after clarifying paragraph 27 where “newly registered vehicles” means new vehicles registered for the first time.

## **V. Information on activities of interest to the Working Party (agenda item 3)**

### **A. Inland Transport Committee and its subsidiary bodies**

7. The Working Party was informed by the secretariat about road transport developments including major events that took place since the previous session, in particular, the decisions of the Inland Transport Committee (ITC) and the work of its subsidiary bodies.

8. The Working Party endorsed a new project, funded by the United Nations Development Account (UNDA), to study with other United Nations regional commissions the impact of road transport on climate change. The project will develop a tool to evaluate CO<sub>2</sub> emissions in the inland transport sector. The Working Party requested the secretariat to keep delegates informed about the progress of work.

9. Following requests of the ITC, the Working Party decided to include on its agenda for the 106<sup>th</sup> session several specific issues: intermodal transport taking into account hinterland connections of seaports (without duplication with WP.24), discussion about global warming, and Intelligent Transport Systems (ITS) based on the road map to be prepared by the secretariat.

### **B. International organizations**

10. Representatives of international organizations were invited to provide information about developments in their respective areas, which may be of interest to the Working Party. The representative of the Black Sea Economic Cooperation (BSEC) shared their experience of creating and implementing a subregional multilateral system of transport permits.

11. The representative of IRU provided information about the performance of road freight transport sector. Domestic and international road freight transport revenues increased in the first half of 2010 by up to 10 per cent, year-on-year. Freight volumes have stabilized and driver employment is unchanged. There was a modest increase in new truck registrations. Access to bank credit is still difficult. There is a significant difference between the developments of road freight volumes in Brazil, China, India, Russian Federation and OECD economies.

12. The IRU reported on web applications, TRANSPark for registering and searching parking areas and the border waiting times observatory.

13. The IRU representative informed the Working Party about the upcoming sixth IRU Euro-Asian Road Transport Conference and Ministerial Meeting, to be held in Tbilisi on 16 and 17 June 2011. This conference will host a meeting of representatives of international organizations and financial institutions.

14. He also informed delegates about a recent study about the internalisation of external costs such as noise, air pollution and congestion. He drew attention to the burden which would be put on the road freight transport sector. According to the study, only two countries of the European Union (France and Germany), would benefit from increasing road user charges, 16 countries would face losses while the internalisation of costs would result in a balance outcome in the remaining nine countries.

15. The representative of CORTE informed the Working Party about his organization's contribution to an EU funded project on "Land Transport Safety and Security" (LTSS). The

project aims at improving transport safety and security through capacity building. CORTE supported the implementation of the digital tachograph and the safe carriage of dangerous goods by road in Armenia, Azerbaijan, Georgia, the Islamic Republic of Iran, Kazakhstan, Kyrgyzstan, Republic of Moldova, Tajikistan, Ukraine and Uzbekistan. The digital tachograph activities consisted of three study tours (in the Netherlands, Norway and Romania) and four training sessions (in Georgia and Kazakhstan).

### C. National delegations

16. The representative of Turkey informed the Working Party about measures taken by the national authorities which have had a positive impact on road transport.

17. Pursuant to the Ministerial Decree issued on 19 March 2009 concerning the gradual withdrawal of old vehicles from traffic, a first phase has been completed. Vehicles older than 31 years with the maximum permissible weight of more than 3,500 kg (in freight transport) and the buses and coaches with more than 16 seats including the driver (in passenger transport) were withdrawn. As of September 2010, about 23,500 commercial vehicles had been eliminated from the market and scrapped. No financial resources from the Central Governmental Budget are used, but the owners of the scrapped vehicles are paid through a Ministry of Transport fund.

18. Recently, a second phase has been initiated by the Ministry of Transport in cooperation with other State authorities. It is expected that 200,000 more vehicles will be withdrawn.

19. In the area of road safety, Turkey complements the national resources with European Union (EU) funds. Two projects have been approved by the European Commission and will start in 2011. One is about “the strengthening of weight and dimensions control (WDC) of commercial vehicles”. It has two components: supply and service. In the supply component, Turkey will purchase technical control equipment to be used in 22 WDC stations. In the service component, experts from Traffic Police and Ministry of Transport will be trained to learn about national and EU legislation.

20. As a result of these actions the number of inspections will substantially increase. The inspections will improve road safety and limit the damages to the road infrastructure.

21. Concerning the maximum age of buses/coaches, the representative of Turkey informed the Working Party that it depends on the type of licence for which the transport operator applies.

22. The representative of the Russian Federation informed the Working Party of the following:

(a) Safety and security in transport is a priority in the Russian Federation. New legislation has been adopted to enhance security and technical provisions (e.g. the scrapping of vehicles older than 28 years). Newly registered Russian commercial vehicles will be mandatorily equipped with a track-and-trace system under the so-called GLONASS system. The representative of the Russian Federation pointed out that manufacturers are already preparing to equip their vehicles with the system;

(b) New rules have been adopted for vehicle dimensions, in full compliance with the UNECEs provisions in this respect;

(c) The equipment of vehicles involved in international transport with a digital tachograph remains a top priority.

23. The representative of the Islamic Republic of Iran informed the Working Party about two projects that are being developed by the members of the Economic Cooperation

Organization (ECO): Afghanistan, Azerbaijan, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, Turkey, Turkmenistan and Uzbekistan.

24. The first project is the organization, with the International Road Transport Union (IRU), of a “Silk Road Transit Caravan” of trucks (see [www.silkroadcaravan.org](http://www.silkroadcaravan.org)). The second project aims at developing an “ECO visa sticker”. Both projects aim at facilitating international movement of goods and passengers.

## **VI. Joint session with the Working Party on Road Traffic Safety (agenda item 4)**

25. On 29 September 2010 the Working Party on Road Traffic Safety (WP.1) celebrated 60 years of road safety activities in the United Nations system. A half-day joint session with the Working Party on Road Transport (SC.1) was held. The session was opened by Mr. Ján Kubiš, Executive Secretary of UNECE and was followed by a number of presentations (available at [www.unece.org/trans/roadsafe/wp12010.html](http://www.unece.org/trans/roadsafe/wp12010.html)).

## **VII. European Agreement concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) (agenda item 5)**

### **A. Implementation of the digital tachograph**

26. The Working Party thanked the European Union and the European Commission for technical assistance and support provided to the AETR Contracting Parties that had not been ready to fully implement the digital tachograph before the set deadline. The representative of the European Commission reiterated EC's commitment to continue training.

27. There was a general understanding that there would be no major problems for any of the Contracting Parties to the AETR with the implementation of the digital tachograph before the end of the “tolerance package” deadline (31 December 2010).

28. The national delegations informed the Working Party about the status of implementation of the digital tachograph. This updated information is included in the “Implementation Table” (available at [www.unece.org/trans/main/sc1/sc1aetr\\_status.html](http://www.unece.org/trans/main/sc1/sc1aetr_status.html)).

29. In addition to the information provided in the “Implementation Table”:

(a) the delegation of Turkey informed the Working Party that the Union of Chambers and Commodity Exchanges of Turkey (TOBB) established a “Digital Tachograph Research Centre”. Minor difficulties have been encountered by Turkish drivers in some EU member States during the tolerance period;

(b) the delegation of the Russian Federation informed that problems, encountered by Russian drivers in Finland where authorities issued fines despite the tolerance measures, were already solved;

(c) the delegation of Belarus urged the Joint Research Centre (JRC) to speed up the certification procedure.

30. Several delegations raised the issue of difficulties in joining the TachoNET network and expressed a concern in this regard. The representative of the European Commission replied that TachoNET is a tool for information exchange, not a precondition for the

implementation of the digital tachograph. The European Union has no objection, in principle, to non-EU countries joining the TachoNET system.

31. The delegation of the Russian Federation informed the Working Party of Russia's intention to establish a research centre with features similar to those of the JRC. The representative of the European Commission was of the opinion that research cooperation should be discussed with the JRC, in compliance with AETR and the Memorandum of Understanding concluded between EC, UNECE and JRC.

32. In response to a question on what is "usual residence" in the context of implementing the digital tachograph, the representative of the European Commission explained that this is the country where a citizen spends 186 days every year, irrespective of his/her citizenship.

33. The Working Party urged the Contracting Parties that were not present to send to the secretariat updated information on the status of implementation as soon as possible.

## **B. Amendments to the Agreement**

34. The Working Party approved the amendments proposed by the secretariat:

(a) article 12, para. 5 to read as follows:

"5. The United Nations Economic Commission for Europe (UNECE) shall issue a report every two years on the application by Contracting Parties of paragraph 1 of the present article."

(b) article 14, paragraph 1 to read as follows:

"1. This Agreement shall be open for signature until 31 March 1971 and thereafter for accession, by States members of the Economic Commission for Europe and States admitted to the Commission in a consultative capacity under paragraphs 8<sup>1</sup> and 11<sup>2</sup> of the Commission's terms of reference."

35. The delegation of Turkey requested that requirements 114a and 133a also include Turkish character sets as defined by ISO8859-9. Concerning Appendix 1B, page 63, item 2.2, several delegations requested the increase in the number of characters allowed to be inserted in the "address" line as often 35 characters are not sufficient.

36. The representative of the EC responded that the new amendments to the EU rules solve these aspects but they have not been transposed into Appendix 1B as foreseen in the procedures of amendment to the AETR.

37. The secretariat was requested to take the measures needed to bring AETR in line with these changes.

38. While there was a general agreement about harmonized security and interoperability rules being paramount for the functioning of the digital tachograph system, and that the

<sup>1</sup> Paragraph 8: The Commission may admit in a consultative capacity European nations not Members of the United Nations, and shall determine the conditions in which they may participate in its work, including the question of voting rights in the subsidiary bodies of the Commission.

<sup>2</sup> Paragraph 11: The Commission shall invite any Member of the United Nations not a member of the Commission to participate in a consultative capacity in its consideration of any matter of particular concern to that non-member.

conditions for market access must be the same, no consensus was reached on any other amendment proposal under this agenda item.

39. A discussion took place about the request to delete article 22 bis from AETR, based on the legitimate need of non-EU Contracting Parties to be involved in the elaboration of new technical requirements. Apparently, there is no formal possibility of such involvement within the procedures of the European Commission; its representative proposed a consultation process as a solution, which was not judged satisfactory by other Governments.

40. The Working Party decided to create a group of experts mandated to draft a revised text for article 22 bis, to be presented for consideration at the 106<sup>th</sup> session of SC.1 at the latest. The group includes experts from the European Commission, Hungary, Russian Federation, Turkey, Ukraine and IRU. Participation is open to all other interested stakeholders.

41. The Working Party also decided to include a discussion on revising article 12 of AETR on the agenda of its 106<sup>th</sup> session.

### **C. Debate on prevailing legal instrument**

42. The Working Party discussed whether the AETR or EU law should prevail in transport between two member States of the EU. For example, what happens when a Russian truck goes from the Russian Federation to Lithuania, trip covered by the AETR, and continues from Lithuania to Estonia. The question is whether the final leg is covered by the EU legal instruments or by the AETR, knowing that neither Lithuania nor Estonia had introduced reservations to AETR when they acceded to the EU.

43. In the view of the Russian Federation, the final leg (ie. Lithuania-Estonia) is covered by the AETR, given that neither Lithuania nor Estonia introduced appropriate reservations to the AETR prior to these countries' accession to the EU.

44. The representative of the European Commission maintained the position expressed in previous sessions of the Working Party, i.e. that the EU law applies to all transports within the European Union, irrespective of the non-existent reservations by some of the EU member States.

45. The representatives of the Russian Federation declared his Government's readiness to go to international arbitration against the European Union for infringement by the latter of the international law of the treaties.

46. The Working Party decided to raise the issue at the Bureau of the Inland Transport Committee and in the Committee itself at the next session in February 2011.

47. The delegation of the Russian Federation, supported by the delegations of Belarus and Ukraine made the following statement (reproduced as received).

48. "The statement by the representative of the delegation of the Russian Federation supported by the delegations of the Republic of Belarus and Ukraine at the 105<sup>th</sup> session of the UNECE Working Party on Road Transport (SC.1).

49. With reference to the norms of current international legal instruments, including the UN Charter, Vienna Convention on the Law of Treaties of 1969 (articles 26, 27, 29, 30) as well as relevant provisions of the European Agreement concerning the Work of Crews of Vehicles engaged in International Road Transport (AETR) of 1970, the Russian Federation would like to emphasize its disagreement with the position of the representative of the European Commission that implies that EU internal regulations prevail over provisions established under AETR with regard to international transport carriers. We believe that

such approach violates the EU member States obligations under the Convention [*note by the secretariat: AETR*] and does not comply with the international law.

50. Based on the above we request the UNECE secretariat to undertake the following actions:

(a) To present before the closure of the 105<sup>th</sup> session of SC.1 clarifications with regard to the existence and the character of reservations made by States parties to the Convention [*note by the secretariat: Convention means AETR*] concerning the territorial scope and application of AETR, including the information on the dates of ratification (accessing to) of AETR and the dates of submitting reservations in accordance with article 19, paragraph 2 of AETR;

(b) To make available at the UNECE website the statement by the European Commission's representative at the meeting of the 105<sup>th</sup> session of SC.1 held on 30 September 2010 that explains the official position of the European Union as to the application on the territory of EU member States of norms of the Union's internal regulation instead of relevant provisions of AETR;

(c) To clarify the status of the representative of European Commission as to his/her participation in the activities and negotiations within the framework of SC.1 and with regard to AETR."

51. The secretariat informed WP.1 that the information requested under the point (a) above is accessible at the UNECE website. Concerning points (b) and (c) the secretariat will take appropriate actions.

## **VIII. Road transport infrastructure (agenda item 6)**

### **A. European Agreement on Main International Traffic Arteries (AGR)**

#### **1. Status of prior amendments to the AGR**

52. The amendment proposed by Estonia to the AGR and approved by the Working Party in annex II to document ECE/TRANS/SC.1/386 entered into force on 14 January 2010. The amendments proposed by Hungary, Norway-Sweden and Turkey approved in Annex II to document ECE/TRANS/SC.1/388 are expected to enter into force on 15 December 2010.

#### **2. Consideration of new proposals for amendments to the AGR**

53. The Working Party approved introduction of the procedures related to road safety impact assessments, road safety audits, the management of road network safety as well as safety inspections in the AGR Agreement (based on European Commission's Directive 2008/96/EC on road infrastructure safety management). These amendments are reproduced as Annex 1 to the present report. The secretariat was requested to take the necessary measures to transmit it to the Treaty Section in New York in accordance with the procedures foreseen in the AGR.

### **B. Trans-European North-South Motorway (TEM) Project**

54. The Working Party took note of the recent TEM developments.

## **IX. Harmonization of requirements concerning international road transport and facilitation of its operation (agenda item 7)**

### **A. Proposal for a global multilateral agreement on the international regular transport of passengers by coach and bus (OmniBUS)**

55. The Working Party endorsed the work done by the group of experts to further develop the proposal for a multilateral agreement; requested the group to continue its work; and invited the IRU to continue supporting the secretariat in servicing this group.

56. Upon a proposal by the IRU and in order to further facilitate the work on OmniBUS, the Working Party invited the secretariat to consider:

(a) Addressing a letter to the European Commission services, reiterating the invitation to join and contribute to the work of the small group of experts on OmniBUS;

(b) Addressing a letter to the acting President of the EU Council Working Party on Land Transport, with information on the current status and progress made so far on OmniBUS, and annexing a copy of the letter to the European Commission services and a copy of the revised OmniBUS text, while at the same time asking him to disseminate it for information at the next group meeting;

(c) Inviting relevant representatives of the UNESCAP, UNESCWA and International Transport Forum (ITF) secretariats to join the work on OmniBUS, as observers, with the objective to prepare for its potential future acceptance and implementation in regions beyond Europe.

### **B. Quantitative restrictions imposed on international road transport of goods**

57. The representative of Turkey presented a document (ECE/TRANS/SC.1/2010/5) on quantitative restrictions imposed on international road transport of goods. The document is based on the secretariat's compilation of international conventions covering the freedom of transit. He highlighted the main elements of the document. The draft is based on provisions of GATT 1994, the New York Convention on transit trade of landlocked states, the Montego Bay Convention on the law of the sea and the Revised Consolidated Resolution (R.E.4) on the facilitation of road transport of the UNECE. He proposed to create an expert group to further work on the draft convention.

58. The representative of the European Commission stated that discussions on the transit of freedom are taking place in the World Trade Organization. While transit freedom is applicable to traded goods, there is no unanimity that such a freedom covered equally the vehicles carrying these goods. He underlined that it was the European Commission's competence to negotiate any international agreements/conventions on behalf of the Union and its member States and this was feasible only on the basis of a relevant mandate provided to the Commission.

59. The representative of the IRU congratulated Turkey for the excellent work which takes into account the most important international conventions. He referred to the conclusions of an IRU survey on the status of bilateral road transport transit quotas in the ECE region, which indicated that there was no harmonization of conditions of transit among ECE member States, including the restrictions and limitations in force. He stated

that GATT Article V on the freedom of transit contained clear provisions on the inclusion of vehicles into the scope of transit freedom.

60. The Working Party decided to create a group of experts to examine the “Draft convention aligning bilateral agreements on international road transport with the mandatory rules of multilateral instruments governing international road transit” transmitted by Turkey. The group includes experts from European Commission, Turkey, and IRU but participation is open to any interested stakeholder. The Working Party invited the IRU to re-open the survey on authorizations used for road transit transport applied by UNECE member Governments in their bilateral relations.

## **C. Review of questions concerning the facilitation of international road transport**

### **1. International Motor Insurance System (Green Card)**

61. The Working Party congratulated Mr. M. Wichtowski for his election as President of the Council of Bureaux (CoBx) and took note of the information provided by the Council of Bureaux about recent developments and particularly about the strategic policies of the “Green Card” System for the future. The President stated that road traffic safety is high on the agenda of CoBx and reiterated the willingness of CoBx to contribute its expertise in establishing similar systems in other parts of the world. The CoBx was invited to prepare a document on criminality in the Green Card system for the 106<sup>th</sup> session of the Working Party.

### **2. Additional Protocol to the CMR concerning the Electronic Consignment Note**

62. The number of signatories of the Protocol on the Electronic Contract for the International Carriage of Goods by Road (e-CMR) remained unchanged (eight Governments); four countries have ratified the Protocol: Bulgaria, Latvia, Netherlands and Switzerland. An additional ratification is needed for the Protocol to enter into force. The Working Party urged the remaining signatories and all the Contracting Parties to the CMR Convention to do so.

63. The Working Party took note of the results of a survey conducted by the IRU on the potential utility of having the e-CMR issued, sent, received and stored electronically. Two questionnaires were issued to gain insight into the actual use of e-CMR by hauliers. The Working Party invited Governments to consider the opinions expressed by the hauliers in the survey.

## **X. Election of officers (agenda item 8)**

64. The Working Party re-elected Mr. B. Oudshoorn (Netherlands) as Chair and Mr. I. Isik (Turkey) as Vice-Chair. The day after the elections took place, several countries proposed a second Vice-Chair, Mr. R. Symonenko (Ukraine) whose election must be confirmed at the 106<sup>th</sup> session, in conjunction with the modification of the Terms of Reference. Mr. Symonenko, if confirmed at the 106<sup>th</sup> session, will take office at that session.

## **XI. Other business (agenda item 9)**

65. Having been informed that Mr. J. Alaluusua (Finland), Mr. P. Krausz (IRU), Mr. O. Pirkkaniemi (EC) and Mrs. V. Tanase, the secretary of SC.1 will not participate anymore in

its sessions the Working Party thanked them for their contribution and wished them all success in their future endeavours.

## **XII. Date of next session (agenda item 10)**

66. The 106th session of the Working Party will be held from 17 to 19 October 2011. Delegations wishing to submit proposals for that session are invited to do so by 20 July 2011 at the latest, in order to allow the secretariat to process the documents according to the internal procedures.

## **XIII. Adoption of decisions (agenda item 11)**

67. The Working Party adopted a brief list of decisions taken at its 105th session, upon which the secretariat drafted the present report.

## Annexes

### **European Agreement on Main International Traffic Arteries (AGR) Amendments approved by the 105<sup>th</sup> session of the Working Party on Road Transport (SC.1)**

1. The second paragraph of the preamble is modified, to read as follows:

“CONSIDERING that in order to strengthen relations between European countries it is essential to lay down a coordinated plan for the construction and development of roads adjusted to the requirements of future international traffic and the environment and with a high level of safety.”

2. A new article 3 bis is added, to read as follows:

**“The Contracting Parties shall endeavour to establish and implement procedures relating to road safety impact assessments, road safety audits, the management of road network safety and safety inspections for the roads of the international E-road network as referred to in article 1 of this Agreement, in conformity with the provisions of annex IV to this Agreement.”**

3. Article 9, paragraphs 1 and 2, is modified, to read as follows:

“1. Annexes II, ~~and III and IV~~ to this Agreement may be amended by the procedure specified in this article.

2. Upon the request of a Contracting Party, any amendment proposed by it to annexes II, ~~and III and IV~~ to this Agreement shall be considered in the Working Party on Road Transport of the Economic Commission for Europe (ECE).”

4. In order to align the terms with those of the Convention on Road Signs and Signals, 1968, and of the Consolidated Resolution on Road Signs and Signals (R.E.2), annex II, paragraph IV.4.2 Variable traffic signs is modified, to read as follows:

“IV.4.2 Variable ~~traffic~~ **message** signs

Variable ~~traffic~~ **message** signs shall be as comprehensible as static road signs, and be legible by day and night to drivers in all lanes.”

7. A new annex IV is added to the Agreement, to read as follows:

## Annex IV

### Road Infrastructure Safety Management

#### I. General

1. The setting up and implementing of appropriate management procedures is an essential tool for improving the safety of road infrastructure within the international E-road network whether the roads are at the design stage, under construction or in operation.
2. Road safety impact assessments should demonstrate, on a strategic level, the implications on road safety of different planning alternatives of an infrastructure project and they should play an important role when routes are being selected. Moreover, road safety audits should identify, in a detailed way, unsafe features of a road infrastructure project.
3. Safety performance of existing roads should be raised by targeting investments to the road sections with the highest accident concentration and/or the highest accident reduction potential. To be able to adapt their behavior and increase compliance with traffic rules, road users should be made aware of road sections with a high accident concentration.
4. Network safety ranking has a high potential immediately after its implementation. Once road sections with a high accident concentration have been treated and remedial measures have been taken, safety inspections as a preventive measure should assume a more important role. Regular inspections are an essential tool for preventing possible dangers for all road users, including vulnerable users, and also in case of road works.
5. Training and certification of safety personnel by means of training curricula and tools for qualification validated by the competent entities should ensure that practitioners get the necessary up-to-date knowledge.
6. Sufficient roadside parking areas are very important not only for crime prevention but also for road safety. Parking areas enable drivers to take rest breaks in good time and continue their journey with full concentration. The provision of sufficient safe and secure parking areas should therefore form an integral part of road infrastructure safety management.

#### II. Definitions

For the purposes of this annex, the following definitions shall apply:

1. "international E-road network" means the road network described in annex I to the present Agreement;
2. "competent entity" means any public or private organization set up at national, regional or local level, involved in the implementation of this annex by reason of its competences, including bodies designated as competent entities which existed before the entry into force of this annex, in so far as they meet the requirements of this annex;
3. "road safety impact assessment" means a strategic comparative analysis of the impact of a new road or a substantial modification to the existing network on the safety performance of the road network;

4. "road safety audit" means an independent detailed systematic and technical safety check relating to the design characteristics of a road infrastructure project and covering all stages from planning to early operation;
5. "ranking of high accident concentration sections" means a method to identify, analyze and rank sections of the road network which have been in operation for more than three years and upon which a large number of fatal accidents in proportion to the traffic flow have occurred;
6. "network safety ranking" means a method for identifying, analyzing and classifying parts of the existing road network according to their potential for safety development and accident cost savings;
7. "safety inspection" means an ordinary periodical verification of the characteristics and defects that require maintenance work for reasons of safety;
8. "infrastructure project" means a project for the construction of new road infrastructure or a substantial modification to the existing network which affects the traffic flow.

### **III. Road safety impact assessment for infrastructure projects**

1. The Contracting Parties shall endeavor to ensure that a road safety impact assessment is carried out for all infrastructure projects.
2. The road safety impact assessment shall be carried out at the initial planning stage before the infrastructure project is approved. The road safety impact assessment shall indicate the road safety considerations which contribute to the choice of the proposed solution. It shall further provide all relevant information necessary for a cost-benefit analysis of the different options assessed.
3. When carrying out road safety impact assessment, the Contracting Parties shall endeavor to meet the criteria set out in the Appendix I to this annex.

### **IV. Road safety audits for infrastructure projects**

1. The Contracting Parties shall endeavor to ensure that road safety audits are carried out for all infrastructure projects.
2. The Contracting Parties shall endeavor to ensure that an auditor is appointed to carry out an audit of the design characteristics of an infrastructure project. The auditor should be appointed in accordance with the provisions of section VIII, point 4 below and should have the necessary competence and training provided for in section VIII. Where audits are undertaken by teams, at least one member of the team should hold a certificate of competence as referred to in section VIII, point 3.
3. Road safety audits shall form an integral part of the design process of the infrastructure project at the stage of draft design, detailed design, pre-opening and early operation, as appropriate.
4. The Contracting Parties shall ensure that the auditor sets out safety critical design elements in an audit report for each stage of the infrastructure project. Where unsafe features are identified in the course of the audit but the design is not rectified before the end of the appropriate stage as referred to in the criteria below, the reasons shall be stated by the competent entity in an Annex to that report.

5. The Contracting Parties shall ensure that the report referred to in paragraph 4 shall result in relevant recommendations from a safety point of view.
6. When carrying out road safety audits, the Contracting Parties shall endeavor to meet the criteria set out in Appendix 2 to this annex.

## **V. Safety ranking and management of the road network in operation**

1. The Contracting Parties shall endeavor to ensure that the ranking of high accident concentration sections and the network safety ranking are carried out on the basis of reviews, at least every three years, of the operation of the road network.
2. The Contracting Parties shall endeavor to ensure that road sections showing higher priority according to the results of the ranking of high accident concentration sections and from network safety ranking are evaluated by expert teams by means of site visits guided by the elements referred to in point 3 of Appendix 3 to this annex. At least one member of the expert team should meet the requirements set out in section VIII, point 4 (a).
3. The Contracting Parties shall endeavor to ensure that remedial treatment is targeted at the road sections referred to in paragraph 2. Priority shall be given to those measures referred to in point 3 (e) of Appendix 3 to this annex paying attention to those presenting the highest benefit-cost ratio.
4. The Contracting Parties shall ensure that appropriate signs are in place to warn road users of road infrastructure segments that are undergoing repairs and which may thus jeopardize the safety of road users. These signs shall also include signs which are visible during both day and night time and set up at a safe distance and shall comply with the provisions of the Convention on Road Signs and Signals, done in Vienna on 8 November 1968.
5. The Contracting Parties shall ensure that road users are informed of the existence of a high accident concentration section by appropriate measures. If a Contracting Party decides to use signposting, this shall comply with the provisions of the Convention on Road Signs and Signals, done in Vienna on 8 November 1968.
6. When carrying out safety ranking the Contracting Parties shall endeavor to meet the criteria set out in Appendix 3 to this annex.

## **VI. Safety inspections**

1. The Contracting Parties shall endeavor to ensure that safety inspections are undertaken in respect of the roads in operation in order to identify the road safety related features and prevent accidents.
2. Safety inspections shall comprise periodic inspections of the road network and surveys on the possible impact of road works on the safety of the traffic flow.
3. The Contracting Parties shall ensure that periodic inspections are undertaken by the competent entity. Such inspections shall be sufficiently frequent to safeguard adequate safety levels for the road infrastructure in question.

## **VII. Data management**

1. The Contracting Parties shall endeavor to ensure that for each fatal accident occurring on a road which is part of the international E-road network an accident report is

drawn up by the competent entity. Contracting Parties shall endeavor to include in that report each of the elements listed in Appendix 4 to this annex.

2. The Contracting Parties shall endeavor to calculate the average social cost of a fatal accident and the average social cost of a severe accident occurring in its territory. The Contracting Parties may choose to further differentiate the cost rates, which shall be updated at least every five years, as appropriate.

### **VIII. Appointment and training of auditors**

1. The Contracting Parties shall endeavor to ensure that, if they do not already exist, training curricula for road safety auditors are adopted the soonest possible.

2. The Contracting Parties shall endeavor to ensure that where road safety auditors carry out functions under this Agreement, they undergo an initial training resulting in the award of a certificate of competence, and take part in periodic further training courses.

3. The Contracting Parties shall endeavor to ensure that road safety auditors hold a certificate of competence. Certificates awarded before the entry into force of this annex shall be recognized.

4. The Contracting Parties shall endeavor to ensure that auditors are appointed in compliance with the following requirements:

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

(b) from two years after the entry into force of this annex, road safety audits shall only be undertaken by auditors or teams to which auditors belong, meeting the requirements provided for in paragraphs 2 and 3 above;

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

### **IX. Exchange of best practices**

In order to improve the safety of the international E-road network the Contracting Parties use the Working Party on Road Transport of the United Nations Economic Commission for Europe (UNECE) as a platform for the exchange of best practices between them, covering, inter alia, existing road infrastructure safety projects and proven road safety technology.

## Appendix I

### **Criteria for road safety impact assessment for infrastructure projects**

#### **1. Elements of a road safety impact assessment:**

- (a) problem definition;
- (b) current situation and "do nothing" scenario;
- (c) road safety objectives;
- (d) analysis of impacts on road safety of the proposed alternatives;
- (e) comparison of the alternatives, including cost-benefit analysis;
- (f) presentation of the range of possible solutions.

#### **2. Elements to be taken into account:**

- (a) fatalities and accidents, reduction targets against "do nothing" scenario;
- (b) route choice and traffic patterns;
- (c) possible effects on the existing networks (e.g. exits, intersections, level crossings);
- (d) road users, including vulnerable users (e.g. pedestrians, cyclists, motorcyclists);
- (e) traffic (e.g. traffic volume, traffic categorisation by type);
- (f) seasonal and climatic conditions;
- (g) presence of a sufficient number of safe parking areas;
- (h) seismic activity.

## Appendix II

### Criteria for road safety audits for infrastructure projects

#### 1. Criteria at the draft design stage:

- (a) geographical location (e.g. exposure to landslides, flooding, avalanches), seasonal and climatic conditions and seismic activity;
- (b) types of and distance between junctions;
- (c) number and type of lanes;
- (d) kinds of traffic admissible to the new road;
- (e) functionality of the road in the network;
- (f) meteorological conditions;
- (g) driving speeds;
- (h) cross-sections (e.g. width of carriageway, cycle tracks, foot paths);
- (i) horizontal and vertical alignments;
- (j) visibility;
- (k) junctions layout;
- (l) public transport and infrastructures;
- (m) road/rail level crossings.

#### 2. Criteria for the detailed design stage:

- (a) layout;
- (b) coherent road signs and markings;
- (c) lighting of lit roads and intersections;
- (d) roadside equipment;
- (e) roadside environment including vegetation;
- (f) fixed obstacles at the roadside;
- (g) provision of safe parking areas;
- (h) vulnerable road users (e.g. pedestrians, cyclists, motorcyclists);
- (i) user-friendly adaptation of road restraint systems (central reservations and crash barriers to prevent hazards to vulnerable users).

#### 3. Criteria for the pre-opening stage:

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

- (b) readability of road signs and markings;
- (c) condition of pavements.

**4. Criteria for early operation:**

assessment of road safety in the light of actual behavior of users. Audits at any stage may involve the need to reconsider criteria from previous stages.

## Appendix III

### Criteria for ranking of high accident concentration sections and network safety ranking

#### 1. Identification of road sections with a high accident concentration

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

#### 2. Identification of sections for analysis in network safety ranking

The identification of sections for analysis in network safety ranking takes into account their potential savings in accident costs. Road sections shall be classified into categories. For each category of roads, road sections shall be analyzed and ranked according to safety-related factors, such as accidents concentration, traffic volume and traffic typology.

For each road category, network safety ranking shall result in a priority list of road sections where an improvement of the infrastructure is expected to be highly effective.

#### 3. Elements of evaluation for expert teams' site visits:

- (a) a description of the road section;
- (b) a reference to possible previous reports on the same road section;
- (c) the analysis of possible accident reports;
- (d) the number of accidents, of fatalities and of severely injured persons in the three previous years;
- (e) a set of potential remedial measures for realization within different timescales considering for example:
  - (i) removing or protecting fixed roadside obstacles;
  - (ii) reducing speed limits and intensifying local speed enforcement;
  - (iii) improving visibility under different weather and light conditions;
  - (iv) improving safety condition of roadside equipment such as road restraint systems;
  - (v) improving coherence, visibility, readability and position of road markings (incl. application of rumble strips), signs and signals;
  - (vi) protecting against rocks falling, landslips and avalanches;
  - (vii) improving grip/roughness of pavements;
  - (viii) redesigning road restraint systems;
  - (ix) providing and improving median protection;
  - (x) changing the overtaking layout;

- (xi) improving junctions, including road/rail level crossings;
- (xii) changing the alignment;
- (xiii) changing width of road, adding hard shoulders;
- (xiv) installing traffic management and control systems;
- (xv) reducing potential conflict with vulnerable road users;
- (xvi) upgrading the road to current design standards;
- (xvii) restoring or replacing pavements;
- (xviii) using intelligent road signs;
- (xix) improving intelligent transport systems and telematics services for interoperability, emergency and signage purposes.

## Appendix IV

### Accident information contained in accident reports

Accident reports include the following elements:

1. precise as possible location of the accident;
  2. pictures and/or diagrams of the accident site;
  3. date and hour of accident;
  4. information on the road such as area type, road type, junction type incl. signalling, number of lanes, markings, road surface, lighting and weather conditions, speed limit, roadside obstacles;
  5. accident severity, including number of fatalities and injured persons, if possible according to common criteria to be defined in accordance with the regulatory procedure with scrutiny referred to in Article 13(3);
  6. characteristics of the persons involved such as age, sex, nationality, alcohol level, use of safety equipment or not;
  7. data on the vehicles involved (type, age, country, safety equipment if any, date of last periodical technical check according to applicable legislation);
  8. accident data such as accident type, collision type, vehicle and driver manoeuvre;
  9. whenever possible, information on the time elapsed between the time of the accident and the recording of the accident, or the arrival of the emergency services.
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