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Consolidated Resolution on Road Traffic (R.E.1)

A Safe System Approach

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A Safe System Approach

Submitted by the Governments of Spain, Sweden and the United States

This document, submitted by Spain, Sweden and the United States, provides three alternative texts for section 2.4.1.3 (Role of penalties and other restrictive measures) of RE.1.

The document replaces Informal document No. 2.

Option 1 - United States

2.4.1.3 Role of penalties and other additional restrictive measures

The goal of a system of traffic penalties is not only to punish offenders and, where necessary, remove them from the road, but also to educate road users on correct behaviour on the public highway and encourage respect for the rules of the road. Penalties and enforcement processes should be designed to minimize the time between the offence and the assignment of punishment and align the severity of the punishment with the seriousness of the offence.

The effectiveness of penalties depends on many factors, including the perceived risk of being caught and the severity of the sanction. Further, the effectiveness of penalty systems in correcting traffic behavior is dependent on the nature of the offense. The corrective effect will be lower for errors and mistakes with no deliberate intention and will tend to be higher for violations which involve deliberate intention. Rehabilitation programmes for habitual offenders have also shown benefit in making those who break the rules aware of the risks they incur and the risks to others.

However, these measures are built on the assumption that accidents are caused by human errors and that these violations could be significantly reduced by introducing additional regulations and procedures to ensure "correct" behaviour and punish "improper" behaviour. This approach presupposes that human errors are more or less intentional violations, i.e. that the road user in all situations can make a deliberate or conscious decision to act rightly or wrongly.

On a general level, human error in road traffic can be divided into unintentional (mistakes, slips, lapses, etc.) and intentional violations. Running a red light or trying to cross an intersection in spite of conflicting traffic are typical examples of serious traffic offences that might be intentional. Forgetting to put on the seat belt, not turning on headlamps, or losing control on a road with invisible ice are examples of unintentional violations of traffic rules that can also lead to lethal consequences.

While in-depth analyses of road traffic accidents show that such unintentional errors are common contributing factors, contemporary Human Factors research clearly shows that regulating human behaviour and making the individual accountable for accidents will only have marginal effect on such errors. Research shows that such regulating activities can have an effect on intentional violations, but that the effect varies considerably according to the risk of being caught and the level of sanctions.

Speeding, driving under influence of alcohol or other drugs, and not using restraint systems or protective equipment are in many cases serious intentional violations. But in other situations these behaviors may be unintentional (especially speeding, and not using restraint systems or protective equipment). These unintentional violations may lower the effects of the system design and must be met with special attention. Such violations may need to be addressed through other corrective measures as alternatives or in addition to penalties.

Option 2 - Sweden

2.4.1.3 Role of penalties and other additional restrictive measures

The goal of the system of penalties is not only to punish offenders and, where necessary, remove them from traffic, but also to educate road users in correct behaviour on the public highway and in respect for the rules of the road. Penalties should therefore be adapted so as to provide a lesson, for example, by reducing the time between the offence committed and the pronouncement of punishment, by adapting the severity of the punishment to the

seriousness of the offence and/or by developing measures as an alternative or in addition to penalties.

The effect of penalties depends on many factors. Some of the most important are the perceived risk of being caught and the level of penalties. Further the effect is dependent on the nature of the offence is important. The effect will be lower on errors and mistakes with no deliberate intention behind while the effect may be higher on violations with a deliberate intention behind.

Option 3 - Spain

2.4.1.3 Role of penalties and other additional restrictive measures

The goal of the system of penalties is not only to punish offenders and, where necessary, remove them from traffic, but also to educate road users in correct behaviour on the public highway and in respect for the rules of the road. Penalties should therefore be adapted so as to provide a lesson, for example, by reducing the time between the offence committed and the pronouncement of punishment, by adapting the severity of the punishment to the seriousness of the offence and/or by developing measures as an alternative or in addition to penalties.

The value of the system should be based on the reliability and the possibility of verification of the sanction; and, on the basis that the penalty system is intended to prevent accidents and offences and to modify dangerous behaviours. As a complement, the efficacy of the system would also rely on the level of enforcement against target behaviours, i.e. the real risk of being caught and public information campaigns.

The effectiveness of penalties depends on many factors, including the perceived risk of being caught and the severity of the sanction. Further, the effectiveness of penalty systems in correcting traffic behavior is dependent on the nature of the offence. The corrective effect will be lower for errors and mistakes with no deliberate intention and will tend to be higher for violations which involve deliberate intention. Rehabilitation programmes for habitual offenders have also shown benefit in making those who break the rules aware of the risks they incur and the risks to others.

With respect to unintended errors and unconscious violations, it should be highlighted that there could be other measures more effective and comprehensible by road users rather than traffic penalties, such as a clear road layout, understandable and realistic traffic regulations and good traffic education.
