

STRENGTHENING ROAD SAFETY LEGISLATION:

A summary for government decision-makers



World Health
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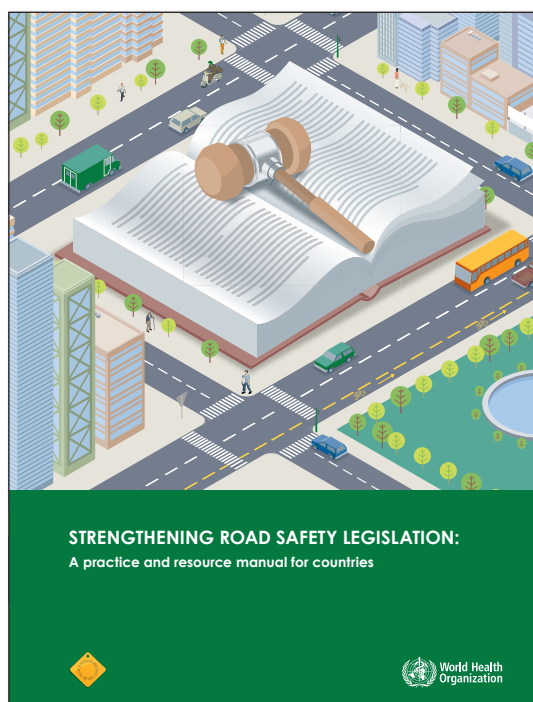
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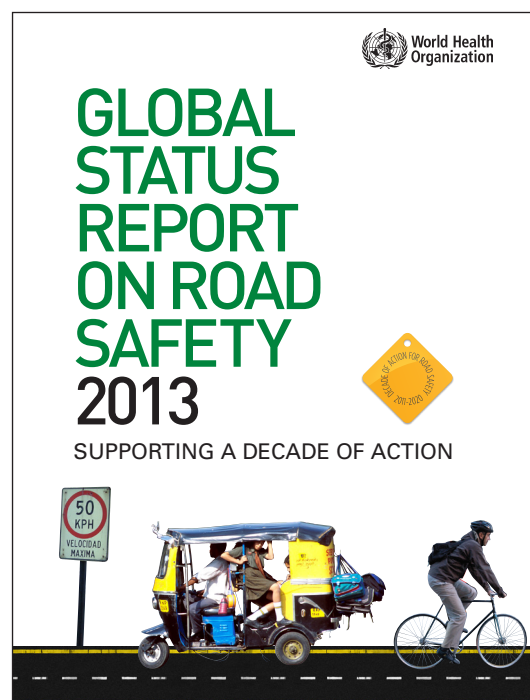
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On World Health Day 2004, which was dedicated to road traffic safety, WHO and the World Bank launched the *World report on road traffic injury prevention* (1). The aim of the report was to encourage governments and partners to address the issue of road traffic crashes and their consequences using a comprehensive approach to reducing injury and death resulting from crashes. Governments were urged to take action to prevent traffic crashes, minimize injuries and their consequences, including setting and enforcing:

- speed limits appropriate to the function of the road;
- laws requiring seat-belts or child restraints for all motor vehicle occupants;
- laws requiring riders of bicycles and motorized two-wheelers to wear helmets; and
- blood alcohol limits for drivers, with random breath-testing at check-points (1).



To download the report, visit http://www.who.int/violence_injury_prevention/road_traffic/countrywork/legislation_manual/en/



To download the report, visit http://www.who.int/violence_injury_prevention/road_safety_status/2013/en/

The first WHO *Global status report on road safety* (2), published in 2009, consisted of a summary of data from 178 countries on efforts to improve road safety, a set of benchmarks against which countries could compare their road safety measures, and recommended regulatory and other activities. Comprehensive legislation is a strong catalyst for changing behaviour, norms and public perceptions about road safety if it incorporates strict, appropriate penalties, backed by consistent, sustained enforcement and public education (2,3). The report showed, however, that legislation on the known risk factors for road traffic injuries was incomplete in 85% of the countries and that existing laws were often inadequately enforced, particularly in low- and middle-income countries. The second *Global status report on road safety* (4), published in March 2013, showed little progress.

In May 2010, the United Nations General Assembly approved resolution 64/255 (5), proclaiming a 'Decade of Action for Road Safety 2010–2020', which calls for multisectoral action to increase the proportion of countries with comprehensive legislation on risk factors for road traffic injuries to 50% by the end of the

decade. In April 2012, the General Assembly approved resolution 66/260 (6), which encourages Member States to adopt and implement national road safety legislation and regulations on the major risk factors and improve implementation through social marketing campaigns and consistent and sustained enforcement activities.

The manual *Strengthening road safety legislation* describes methods and resources for enacting new laws or regulations or amending existing ones as part of a comprehensive road safety strategy. It recommends a stepwise approach to assessing and improving legislation on risk factors for road traffic injuries and on post-crash care. It could be used by countries to:

- improve understanding of applicable frameworks of legislation;
- review current national legislation and regulations and identify barriers to their implementation and enforcement;
- identify resources, such as international agreements, evidence-based guidance and recommendations on effective measures, to improve legislation; and
- prepare action plans to strengthen national legislation and regulations for the main risk factors and for post-crash care, including advocacy.

A legal framework for road safety laws and regulations

Comprehensive national road safety laws and regulations are effective in reducing injuries and fatalities (2). The enacting of such laws is influenced by various factors, not least of which are political will and resources. The manual outlines the forms of road safety laws and regulations and the context in which legislative changes can be made.

Laws and regulations relevant to road safety

The terminology used in the manual to distinguish among the various regulatory

instruments is clearly defined. The type of road safety law depends on whether a country has a federal or a national system; states may have different degrees of flexibility to enact laws that are different from federal or national laws, which can give rise to different road safety standards in the same country. In some countries, local governments and municipalities can also enact their own laws. The laws relevant to road safety vary from country to country, sometimes depending on the type of behaviour or action they are intended to address:

- Transport or motor vehicle laws address topics such as driving privileges, licensing and vehicle registration, road signs and signalling, driving conduct, motor vehicle manufacturing standards and commercial driver working hours. Such laws can include transport infrastructure.
- Criminal laws criminalize certain behaviour, such as careless or reckless driving and driving under the influence of alcohol or drugs.
- Insurance laws address drivers' liability and the compensation of road crash victims.
- Constitutional laws in some jurisdictions address the rights of people to health care, including emergency treatment.
- Public health laws can include issues such as post-crash interventions, ranging from access to and provision of care in hospitals to protection of first responders.
- Tort laws, within civil law, determine liability by assigning fault based on driving behaviour. Tort laws and litigation history can define or guide how fault is assigned and who is responsible for compensating victims (7).

Factors that influence legislative action on road safety

Traffic statistics often spur legislation; other factors include political will and high-level commitment, public pressure and changes in social norms and values. Global commitment



and recommendations on best practice from international policy-making and technical institutions such as the United Nations can also prompt the reform.

International regulations serve as benchmarks and can provide a legal framework on which regions and countries can base their own laws. For example, the United Nations conventions on road traffic of 1949 and 1968 (8) and the Convention on Road Signs and Signals of 1968 (9) recommend best practices; the Consolidated Resolution on Road Traffic (10), which supplements the Convention on Road Traffic 1968, and the European Agreement of 1971 (11) provide guidance on improving road safety and a framework for voluntary

system for managing information on road traffic injuries and fatalities. Policy-makers require data disaggregated by, for example, type of road user, risk behaviour and geographical region, so that they are relevant to the locale and to the legislative issues being considered.

Laws and regulations can change the social meaning attributed to certain behaviour and can change individual behaviour (12). Social meaning can be changed by categorizing and regulating behaviour by what is and is not acceptable. Behaviour can be changed by requiring e.g. wearing a seat-belt or refraining from activities such as drink-driving. For such laws or regulations to be passed, law-makers and regulatory bodies must be motivated and

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