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REPORT

From:	General Secretariat of the Council
To:	Council
No. prev. doc.:	ST 14109/18
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Subject:	Proposal for a Directive of the European Parliament and of the Council amending Directive 2008/96/EC on road infrastructure safety management – General approach

I. INTRODUCTION

1. On 17 May 2018, the Commission transmitted the above-mentioned proposal to the European Parliament and to the Council, as a part of the so-called *Third Mobility Package*.
 - The main objective of the proposal is to reduce road fatalities and serious injuries;
 - The Commission considers that the Directive in force is not fully reaching its objectives of halving road fatalities by 2020, and reinforced action is needed;
 - The Commission identifies that a share of travel on the TEN-T network is made on roads with low safety performance. The Commission also notes that roads outside the TEN-T network had low in-built safety and that there were large differences between safety performance of roads in different parts of the European Union;

- Furthermore, the Commission proposes to foster harmonisation and knowledge sharing between Member States, protect vulnerable road users, improve the deployment of new technologies and improve the follow-up on the findings of road infrastructure safety management procedures;
 - The proposal has been presented as an amending directive.
2. The European Parliament's Committee on Transport and Tourism (TRAN) appointed on 19 July 2018 Ms Daniela Aiuto (EFDD, IT) as the rapporteur. The Industry, Research and Energy Committee (ITRE) decided not to give an opinion. The Committee is scheduled to vote on 03 December 2018.
 3. The European Economic and Social Committee adopted its opinion on the proposal on 17 October 2018. The European Committee of the Regions has not adopted its opinion as yet.
 4. The Swedish Parliament (Riksdag) has adopted a reasoned opinion on the application of the principle of subsidiarity. The Czech Chamber of Deputies and the Senate have adopted resolutions on the application of the principles of subsidiarity and proportionality.

II. WORK WITHIN THE COUNCIL BODIES

5. The Working Party on Land Transport started its examination of the proposal on 12 June 2018 with a general presentation by the Commission. The impact assessment was studied on 05 July 2018.
6. During the Austrian Presidency, the Working Party discussed the proposal in its meetings on 11 July, 12 July, 20 September, 24 September, 11 October and 12 November. One of the key challenges of the file was the extension of the scope and an overhaul of the current system of inspections. The Presidency has developed a compromise between the old system of inspections and the new proactive approach introduced by the Commission.

7. The introduction of new annexes called for considerable redrafting to confirm their nature as guidance to the Member States, without imposing rigid legal requirement. The Presidency, taking inspiration from proposals by the Member States redrafted two annexes in their entirety, providing simpler and more direct annexes. The Working Party found the compromises largely satisfactory in both cases.
8. The current Directive 2008/96/EC¹ was also covered in the Omnibus for aligning comitology provisions in Union legislation², which reached a Partial General Approach on 20 March 2018³. The Presidency has aligned this proposal to the Partial General Approach and transferred the changes which had already been agreed. The Presidency also proposed minor changes to the text which had already been agreed as they did not reflect other operative changes in the amending Directive.

III. MAIN OUTSTANDING ISSUE

9. The Working Party has addressed most issues to a large extent. The text presented here is not fully shared by the Commission. However, the Presidency considers that the current compromise text represents a balanced but also a coherent solution to the issues at stake.

IV. CONCLUSIONS

10. The Permanent Representatives Committee endorsed the compromise text presented by the Presidency in the Annex to this document. Following this, the text is submitted to the TTE Council (Transport) on 3 December 2018 to reach a general approach.

¹ Directive 2008/96/EC of the European Parliament and of the Council of 19 November 2008 on road infrastructure safety management (OJ L 319, 29.11.2008, p. 59–67)

² Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL adapting a number of legal acts providing for the use of the regulatory procedure with scrutiny to Articles 290 and 291 of the Treaty on the Functioning of the European Union (COM/2016/0799 final - 2016/0400 (COD))

³ see doc. ST 6933/18.

**Proposal for a
DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
amending Directive 2008/96/EC on road infrastructure safety management**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91(1)(c) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

Having regard to the opinion of the Committee of the Regions²,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) It is the strategic objective of the Union to halve the number of road deaths by 2020 compared to 2010 and to move close to zero fatalities by 2050 ("Vision Zero")³. However, progress towards achieving these objectives has stalled in recent years. A new interim target of halving the number of serious injuries by 2030 compared to 2020 was endorsed by Council in June 2017⁴

¹ OJ C , , p. .

² OJ C , , p. .

³ Communication from the Commission "Towards a European road safety area: policy orientations on road safety 2011-2020" (COM(2010) 389 final)

⁴ Council conclusions on road safety - endorsing the Valletta Declaration of March 2017 (Valletta, 28 – 29 March 2017) (ST 9994/17)

- (2) According to the Safe System approach, death and serious injury in road accidents is largely preventable. It should be a shared responsibility at all levels to ensure that road crashes do not lead to serious or fatal injuries. In particular, well-designed and properly maintained roads should reduce the probability of road traffic accidents, whilst "forgiving" roads (roads laid out in an intelligent way to ensure that driving errors do not immediately have serious consequences) should reduce the severity of accidents.
- (3) The roads of the trans-European network defined in Regulation (EU) No 1315/2013 of the European Parliament and of the Council¹ are of key importance in supporting European integration. A high level of safety should therefore be guaranteed on these roads.
- (4) The road infrastructure safety management procedures implemented on the trans-European network have helped reduce fatalities and serious injuries in the Union. It is clear from the evaluation of the effects of Directive 2008/96/EC of the European Parliament and of the Council² that Member States which have been applying road infrastructure safety management ('RISM') principles on a voluntary basis to their national roads beyond the TEN-T network have achieved a much better road safety performance than Member States which do not do so.
- (5) A large proportion of road accidents occur on a small proportion of roads where traffic volumes and speeds are high and where there is a wide range of traffic travelling at different speeds. Therefore the limited extension of the scope of Directive 2008/96/EC to motorways and other primary roads beyond the TEN-T network should contribute significantly to the improvement of road infrastructure safety across the Union.

¹ Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU (OJ L 348 20.12.2013, p. 1).

² Directive 2008/96/EC of the European Parliament and of the Council of 19 November 2008 on road infrastructure safety management (OJ L 319, 29.11.2008, p. 59).

- (5a) In order to ensure that such extension of scope has the intended effect, it is logical that other primary roads include at least those roads that connect major cities or regions belonging to the highest category of road below the category ‘motorway’ in the national road classification.
- (6) Further, the mandatory application of the procedures of Directive 2008/96/EC to any road infrastructure project outside urban areas which is completed using Union funding should ensure that Union funds are not used to build unsafe roads.
- (6a) Directive 2008/96/EC covers exclusively road infrastructure. Road traffic law is therefore not affected by this Directive, including the Member States competence to make decisions on their own authority with regard to road traffic law orders. The Conventions on Road Traffic of 1949 (referred to as the "Geneva Convention on Road Traffic") and 1968 (referred to as the "Vienna Convention on Road Traffic") as well as the Convention on Road Signs and Signals of 1968 should be recognised.
- (7) Risk-based network-wide road safety assessment has emerged as an efficient and effective tool to identify sections of the network that should be targeted by more detailed road safety inspections and to prioritise investment according to its potential to deliver network-wide safety improvements. The entire road network covered by this Directive should therefore be systematically assessed to increase road safety across the Union.
- (8) Integrating the best performing elements from the previous "safety ranking and management of the road network in operation procedure" into the new network-wide road safety assessment procedure should allow better identification of road sections where the opportunities to improve safety are the greatest and where targeted interventions should deliver the biggest improvements.
- (8a) In order to improve quality, objectivity as well as efficiency of the road safety management procedures, it is beneficial to allow Member States to take advantage, where appropriate, of the continuously developing technologies for inspecting road sections, document road safety conditions and collecting other data related to the safety of the road network.

- (9) Systematic follow-up of the findings of RISM procedures is crucial to achieve the road infrastructure safety improvements necessary for meeting the Union's road safety objectives. To this end, prioritised action plans should ensure that the necessary interventions are implemented as soon as possible. In particular, the findings of the network-wide road safety assessment procedure should be followed up either by targeted road safety inspections or, if possible and cost-efficient, by direct remedial action aimed at eliminating or reducing the road safety risks without creating undue administrative burden.
- (10) The safety performance of existing roads should be improved by targeting investment to the road sections with the highest accident concentration and the highest accident reduction potential.
- (10a) Funding and financial incentives at EU level may, in accordance with the applicable conditions, be used to provide support for such investment, complementing corresponding national investment and incentives.
- (11) Sections of the road network adjoining road tunnels of the trans-European road network covered by Directive 2004/54/EC of the European Parliament and of the Council ¹ have a particularly high accident risk. Joint road safety inspections of these road sections involving representatives of both the competent road and tunnel authorities should therefore be introduced in order to improve the safety of the road network as a whole.
- (12) Vulnerable road users accounted for 46% of road fatalities in the Union in 2016. Ensuring that the interests of these users are taken into account in all RISM procedures should therefore improve their safety on the road.
- (13) [...].
- (14) [...].

¹ Directive 2004/54/EC of the European Parliament and of the Council of 29 April 2004 on minimum safety requirements for tunnels in the Trans-European Road Network (OJ L 167, 30.4.2004, p. 39).

- (15) Publication of the results of network-wide road safety assessments should allow the level of infrastructure safety to be compared across the Union.
- (16) Since the objective of this Directive, namely the establishment of procedures to ensure a consistently high level of road safety throughout the trans-European network and the network of motorways and primary roads across the Union cannot be sufficiently achieved by the Member States, but can rather, as improvement is necessary throughout the Union in order to ensure convergence towards higher standards of road infrastructure safety, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective. As a result of action at Union level, travel throughout the Union should become safer which in turn should improve the functioning of the internal market and support the objective of economic, social and territorial cohesion.
- (17) In order to ensure that the content of RISM procedures continues to reflect the best available technical knowledge, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission for the purpose of adapting the Annexes to the Directive to technical progress. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

¹ OJ L 123, 12.5.2016, p. 1.

(18) Specific measures are necessary for the continuous improvement of safety management practices. In order to ensure uniform conditions for the implementation of the relevant provisions of this Directive, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and the Council¹.

(19) Directive 2008/96/EC should therefore be amended accordingly,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Directive 2008/96/EC is amended as follows:

- (1) in Article 1, paragraphs 1 to 3 are replaced by the following and paragraph 2a is added:
1. "This Directive requires the establishment and implementation of procedures relating to road safety impact assessments, road safety audits, road safety inspections and network-wide road safety assessments by the Member States.
 2. This Directive shall apply to roads which are part of the trans-European network, to motorways and to other primary roads, whether they are at the design stage, under construction or in operation.
- 2a. Each Member State shall designate the primary roads on its territory taking into account its existing road classification. Each Member State shall notify the primary roads within its territory to the Commission at the latest 24 months following the entry into force of this Directive. Member States shall notify any subsequent change thereto.

¹ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

3. This Directive shall also apply to roads and to road infrastructure projects not covered by paragraph 2 which are situated outside urban areas, which do not serve properties bordering on them and which are completed using Union funding with the exception of roads that are not open to general motor vehicle traffic (e.g. bicycle paths) or roads that are not designed for general traffic (e.g. access roads to industrial, agricultural or forestry sites)";
- (2) Article 2 is amended as follows:
- (a) point 1 is replaced by the following:
4. “‘trans-European road network’ means the road network defined in Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network (OJ L 348 20.12.2013, p. 1).;”;
- (b) the following points 2a and 2b are inserted:
- “2a. ‘motorway’ means a road specially designed and built for motor traffic, which does not serve properties bordering on it, and which meets the following criteria:
- (a) it is provided, except at special points or temporarily, with separate carriageways for the two directions of traffic, separated from each other either by a dividing strip not intended for traffic or, exceptionally, by other means;
- (b) it does not cross at level with any road, railway or tramway track, bicycle path or footpath;
- (c) it is specifically designated as a motorway;
- 2b. ‘primary road’ means a road, designated by the Member States, that connects major cities or regions;

2c. [...];”;

(c) point 5 and 6 are deleted;

(d) point 7 is replaced by the following and point 7a is added:

“6. [...];

7. ‘targeted road safety inspection’ means a targeted investigation to identify hazardous conditions, defects and problems that increase the risk of accidents and injuries, based on a site visit of an existing road or section of road;

7a. ‘periodic road safety inspection’ means an ordinary periodical verification of the characteristics and defects that require maintenance work for reasons of safety;”;

(e) the following point 10 is added:

“10. ‘vulnerable road user’ means non-motorised road users, including, in particular, cyclists and pedestrians, as well as users of powered two-wheelers.”;

(3) Article 5 is replaced by the following:

“Article 5

Network-wide road safety assessment

1. Member States shall ensure that a network-wide road safety assessment is carried out on the entire road network in operation covered by this Directive.

1a. Network-wide road safety assessments shall evaluate accident and impact severity risk, based on, as a minimum:

- a visual survey, either on the spot or by electronic means, of the design characteristics of the road (in-built safety); and

- an analysis of sections of the road network which have been in operation for more than three years and upon which a large number of serious accidents in proportion to the traffic flow have occurred;
- [...].

- 1b. Member States shall ensure that the first assessment is carried out by 2025 at the latest. Subsequent network-wide road safety assessments shall be sufficiently frequent in order to ensure adequate safety levels, but in any case shall be carried out at least every five years.
 2. In carrying out the network-wide road safety assessment, Member States may take into account the indicative elements laid down in Annex III.
 3. On the basis of the results of the assessment referred to in paragraph 1, and for the purpose of prioritisation of needs for further action, Member States shall classify all sections of the road network according to their level of safety.
 4. [...]
 5. [...]"
- (4) Article 6 is amended as follows:

- (a) the title is replaced by the following:

“Article 6
Periodic road safety inspections”;

- (a) paragraph 1 is replaced by the following:

1. “Member States shall ensure that periodic road safety inspections are undertaken with sufficient frequency to safeguard adequate safety levels for the road infrastructure in question.”;

- (b) paragraphs 2 is deleted and paragraph 3 is replaced by the following:

2. [...] .
 3. Member States shall ensure the safety of sections of the road network adjoining road tunnels covered by Directive 2004/54/EC through joint road safety inspections involving the competent entities involved in the implementation of this Directive and Directive 2004/54/EC. The joint road safety inspections shall be carried out at least every six years.”;
- (5) the following Articles 6a, 6b and 6c are inserted:

“Article 6a

Follow-up of procedures for roads in operation

1. Member States shall ensure that the findings of network-wide road safety assessments carried out pursuant to Article 5 are followed up either by targeted road safety inspections or by direct remedial action.
 - 1a. When carrying out targeted road safety inspections Member States may take into account the indicative elements set out in Annex IIa.
 - 1b. Targeted road safety inspections shall be carried out by expert teams. At least one member of the expert team shall meet the requirements set out in Article 9(4)(a).
2. Member States shall ensure that the findings of targeted road safety inspections are followed up by reasoned decisions determining if remedial action is necessary. In particular, Member States shall identify road sections where road infrastructure safety improvements are necessary and define actions to be prioritised for improving the safety of those road sections.
3. Member States shall ensure that remedial action is targeted at road sections with low safety levels and which offer the opportunity for the implementation of measures with high potential for safety development and accident cost savings.
4. Member States shall prepare and regularly update a risk-based prioritised action plan to track the implementation of identified remedial action.

Article 6b

Protection of vulnerable road users

Member States shall ensure that the needs of vulnerable road users are taken into account in the implementation of the procedures set out in Articles 3 to 6.”;

Article 6c

Road markings and road signs

1. [...]

2. [...]

The Commission shall, at the latest by [*OJ: add date entry into force + three years*], submit a report to the European Parliament and to the Council regarding road markings and road signs and their visibility and detectability by both human drivers and vehicles equipped with driver assistance systems or higher levels of automation. The report shall be prepared in cooperation with experts designated by the Member States. The report shall cover in particular the following assessments:

- the interaction between various driver assistance technologies and infrastructure;
- the effect of the weather and atmospheric phenomena on road markings and road signs present on the Union territory;
- the role of different international bodies in developing standards and other requirements; and
- the type and frequency of maintenance efforts necessary for various technologies, including an estimate of costs.

Member States shall ensure that appropriate signs are in place to warn road users of road infrastructure segments that are undergoing repairs and which may thus jeopardise 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 Vienna Convention on Road Signs and Signals of 1968.”

(5a) in Article 7, the following paragraph 1a is inserted:

"1a. The Commission may establish, by means of implementing acts, guidelines according to which accident severity, including number of fatalities and injured persons, is to be reported. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13(2).";

(6) Article 10 is replaced by the following:

“Article 10

Exchange of best practices

In order to improve the safety of Union roads, the Commission shall establish a system for the exchange of best practices between the Member States, covering, *inter alia*, existing road infrastructure safety projects and proven road safety technology.”;

(7) in Article 11, paragraph 2 is deleted;

"2. [...]

(8) the following Article 11a is inserted:

“Article 11a

Reporting

1. Member States shall provide a report to the Commission by 31st October 2026 and every five years thereafter on the safety classification of the road sections assessed according to Article 5”;

(9) Article 12 is replaced by the following:

“Article 12

Amendment of Annexes

The Commission is empowered to adopt delegated acts in accordance with Article 12a amending the Annexes in order to adapt them to technical progress.”;

(10) the following Article 12a is inserted:

“Article 12a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 12 shall be conferred on the Commission for a period of five years from [OJ: add date entry into force]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3. The delegation of power referred to in Article 12 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹.
5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
6. A delegated act adopted pursuant to Article 12 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.";

(11) in Article 13 paragraph 3 is deleted:

"Article 13

Committee Procedure

3. [...]

(12) the Annexes are amended as set out in the Annex to this Directive.

¹ OJ L 123, 12.5.2016, p. 1

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [OP: please insert the DATE calculated 24 months following the entry into force] at the latest. They shall forthwith communicate to the Commission the text of those provisions.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 4

This Directive is addressed to the Member States.

Done at Brussels,

For the European Parliament

For the Council

The President

The President

The Annexes to Directive 2008/96/EC are amended as follows:

- (1) in Annex I, the title is replaced by the following:

**"ANNEX I
INDICATIVE ELEMENTS OF ROAD SAFETY IMPACT ASSESSMENTS";**

- (2) Annex II is amended as follows:

- (a) the title is replaced by the following:

**"ANNEX II
INDICATIVE ELEMENTS OF ROAD SAFETY AUDITS",**

- (b) in section 1, the following point (n) is added:

"(n) provisions for vulnerable road users:

- i) provisions for pedestrians,
- ii) provisions for cyclists,
- iii) provisions for powered two-wheelers.";

- (c) in section 2, point (h) is replaced by the following:

"(h) provisions for vulnerable road users:

- i) provisions for pedestrians,
- ii) provisions for cyclists,
- iii) provisions for powered two-wheelers.";

(3) the following Annex IIa is inserted :

"ANNEX IIa
INDICATIVE ELEMENTS OF TARGETED ROAD SAFETY INSPECTIONS

General

- Assess if the road type is correct for the purpose
- Assess/evaluate speed limit, speed and regulatory compliance
- Assess safety for all road users, specifically vulnerable road users
- Assess functionality or need of traffic management and control systems

Road design

- Assess road design -*Assess if the road design is in harmony with the function of the road (considering eg. width of the road, number of lanes, speed limits, potential conflict with pedestrians and cyclists)*
- Assess road layout and design of intersections and interchanges, including pedestrian and road/rail crossings
- Inspect function of or need for median barriers
- Inspect location and design of stops for public transport
- Inspect location and safety of parking and rest areas

Roadside area and external hazards

- Inspect the roadside area – look for fixed or sharp roadside obstacles, watercourses or steep banks or slopes
- Inspect need for protecting against rocks falling, landslides, avalanches and climate change, eg. with respect to high water flows

Road equipment

- Inspect roadside equipment – look for hazards and effectiveness of systems.
- Assess visibility, readability, position and function of road markings, signs and signals

Road surface properties

- Inspect quality of the pavement
- Inspect deficiencies of friction
- Inspect efficiencies of water drainage on the road and outside";

(4) Annex III is replaced by the following:

"ANNEX III

INDICATIVE ELEMENTS OF NETWORK-WIDE ROAD SAFETY ASSESSMENTS

Basic data: Traffic volume, if possible divided into different road user groups

(a) " Proactive assessment" – Road design and safety features based on known risk elements:

- Design to prevent frontal collisions.

Are high speed roads physically separated in the middle? (yes/no)

- Design to prevent single accidents.

Are roadside areas designed to limit fatalities and serious injuries (which includes the absence of fixed (non-energy absorbing) obstacles, steep slopes and deep water) and do roads have guardrails where necessary? (yes/ no)

- Design for vulnerable road users.

Are there segregated routes for pedestrians and cyclists along and across the road (IF these road users have the right to use the road)? Are pedestrians and cyclists separated from motor vehicles where the volumes of these traffic groups are not insignificant? (yes/ no)

Is speed adaptation assured in cases where the road has a mix of different road user groups (motor vehicles as well as pedestrians and cyclists)? (yes/ no)

- Design to prevent side collisions.

Do crossings have good visibility? (yes/ no)

Do crossings have a design so that side collisions (at 90-degree angles) are avoided? (yes/ no)

(b) "Reactive assessment" based on accident data/analysis:

- Number and location of fatalities by road user group (among which blackspots)
- Number and location of serious injuries by road user group
- Ratio of the number of killed and severely injured persons (numerator) and million vehicle kilometers (denominator).

(5) Annex IV is amended as follows:

(a) point 1 is replaced by the following:

1. "precise as possible location of the accident, including GNSS co-ordinates;"

(b) point 5 is replaced by the following:

- 5 "accident severity."
