

Sparks – ‘EU at crossroads’

Piecemeal legislation or an holistic approach – it is decision time for the EU in terms of cross-border enforcement. Will it choose smoothly-functioning pan-European enforcement or allow a fragmented set of regulations for different traffic offences as they become cross-border issues? **Jo Ann Sweeney** poses the question.

The SPARKS Programme hopes the answer will be the former. Programme members believe the core issues of sustainability, freedom of movement, urban utility and road safety are inextricably linked to compliance with traffic regulations. Consistent enforcement that targets all offences – civil, administrative or criminal – improves compliance. Conversely, inconsistent enforcement leads to increased non-compliance across the spectrum of offences.

The EC has recognised that there is a problem with cross-border penalty enforcement and that data exchange needs to be improved. But its efforts to date – the proposed Road Safety Directive and the Urban Mobility green paper – only focus on tackling criminal offences.

‘The problem’, says SPARKS programme manager Bill Blakemore, ‘is that drivers don’t distinguish between civil, administrative and criminal traffic laws.’

‘If they find they can contravene one class of regulations with impunity, they may ignore others as well.’ SPARKS research across EU member states reveals that public authorities struggle to enforce traffic laws against the drivers or owners of foreign-registered vehicles for two key reasons: the lack of a mechanism for sharing vehicle registration data across national borders; and the lack of a legal framework for cross-border enforcement of penalties.

This means that schemes reliant on camera-based enforcement and automatic number plate recognition are not enforceable against foreign-registered vehicles. Such schemes currently include low emission zones and local road pricing and congestion charging schemes operating or planned in a number of countries.

‘The EU’s recently-proposed Road Safety Directive is a good start,’ says Blakemore, ‘but its scope needs to be substantially increased. ‘We would like to see the EU create a common data-sharing system and a legal framework for enforcement of all penalties.’

Local authorities would then be able to trace foreign-registered vehicles that contravene traffic laws, serve penalty notices, register unpaid debts in their own courts and enforce them directly in the offender’s country of residence without further recourse to local courts.

‘The legislative process has started,’ says Blakemore. ‘Now is the time to better shape legislation to meet the needs of member states – before decisions are ratified. MEPs and EU offi-



**SPARKS programme manager
Bill Blakemore**

cial are interested in our views, and we need to make sure our voice is clearly heard.’

A voice heard in Europe

SPARKS is developing a network designed to help local and regional traffic enforcement authorities and police forces and associations, to increase their influence at national and European levels. Members of national ITS associations are welcome to join.

The network will focus on research that identifies practical solutions, collaborative working to resolve cross-border issues, sharing of best practice and the creation of an influencing campaign to ensure members’ views are heard.

Network members will be able to participate in EC-funded research assessing data sharing and legal enforcement solutions. Previous legal research, the Eurosparks Project, has already identified significant issues facing local authorities across the EU, including changes to existing legislation and a new directive.

Working groups will address specific problem areas including systematic data collection, the practicalities of data sharing, classification of offences, mutual assistance and compatible enforcement processes.

Members will visit sites where cross-border enforcement is a particular problem to learn how issues vary across member states and how they are resolved on a day-to-day basis.

An annual conference will provide a forum for wider debate of issues, while seminars and workshops will share best practice developed in the working groups, visits and research. Regular communications including the website, an online newsletter, white papers and case studies, will keep members in touch with each other and with changes in traffic management politics and practice.

‘The Eurosparks project’s emphasis on economic relevance and legal aspects has captured the attention of administrative personnel, municipal police, local politicians and the media,’ comments partner Alessandro Drago, of the Lazio region in Italy.

‘It has shown that there are possible technical solutions for a well-known problem and generated hope among municipalities that they can influence future EU directives. Participation has also given us more chances to influence national politicians and Italian civil servants.’

Adds another Eurosparks partner, Daniela Grech from Malta: ‘Through Eurosparks we asked members of local government to bring forward their ideas and proposals for improving enforcement of traffic laws against foreign vehicles. For the first time they gave it serious consideration.’

The network will have three categories of membership: standard (for local authorities and police); associate (for the EU, governments, academia and not-for-profit organisations); and commercial membership for private sector organisations. Says Blakemore: ‘Its status as an EU-wide group is a significant advantage as member states consider decriminalising traffic law and the European Parliament debates its draft Road Safety Directive and studies submissions to the urban mobility green paper.’

Jo Ann Sweeney is a chartered marketer, editor, journalist and communications consultant to the SPARKS Programme.

The SPARKS Programme is an initiative of the London Enforcement Task Force and brings together local traffic authorities in the UK and other EU member states to resolve the issue of cross-border enforcement of civil traffic laws. Eurosparks is a project within the SPARKS Programme.

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