



REPLIES OF THE EUROPEAN COMMISSION

TO THE EUROPEAN COURT OF AUDITORS' SPECIAL REPORT

Reaching EU road safety objectives:

time to move up a gear

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This document presents the replies of the European Commission to observations of a Special Report of the European Court of Auditors, in line with Article 259 of the [Financial Regulation](#) and to be published together with the Special Report.

I. COMMISSION REPLIES IN BRIEF

The European Commission (Commission) welcomes the European Court of Auditors (ECA) special report on road safety. The Commission acknowledges that after years of good progress towards its ambitious road safety targets, additional efforts and methods are required to implement “[Vision Zero](#)”.

The Commission is confident of having an adequate policy in place. In the “[Europe on the Move](#)” package in May 2018, the Commission put forward a new approach to European Union (EU) road safety policy, along with a medium term [Strategic Action Plan](#). In June 2019, the Commission has published the staff working document [EU Road Safety Policy Framework 2021-2030 - Next steps towards "Vision Zero"](#) with a vision to base its road safety policy framework for the decade 2021 to 2030 on the Safe System approach. Moreover, several relevant new legislative proposals were made in March 2023 such as the ‘[Road safety package](#)’, while the ‘Roadworthiness package’ is under preparation.

As road safety is a shared competence with Member States, the EU needs to make the most of structured cooperation, benchmarking, and peer-review between the Member States. To that end, the Commission recognises the need to work on harmonised or common methodologies such as key performance indicators (KPIs). This work is already on-going, notably through the Trendline project and the [European Road Safety Observatory](#).

With regard to road projects, co-funded by the EU, the Commission seeks to mainstream road safety to the greatest possible extent. Since the key selection criteria and selection under the European Regional Development Fund (ERDF) and Cohesion funds remain the responsibility of national authorities, the main tool for ensuring safe road infrastructure remains [Directive 2008/96/EC](#) on road infrastructure safety management.

Finally, in keeping with the EU Safe System approach and the need to cater for future technological developments in the sector, the Commission is assessing options to strengthen coordination and governance.

II. COMMISSION REPLIES TO THE MAIN OBSERVATIONS OF ECA

1. The EU Safe System approach

The Commission is fully committed to implementing its road safety policy framework 2021-2030 which is based on the Safe System approach. In March 2023 it proposed a legislative ‘Road safety package’ focusing on updated requirements for driving licenses with an aim to improve skills and fitness to drive as well as to facilitate the enforcement of traffic rules across borders. Furthermore, it intends to propose a revision of three more directives on roadworthiness.¹

The Commission has taken several initiatives to monitor Member States’ progress in implementing their national road safety strategies. National strategies have been presented and discussed in a

¹ ECA observations 26-27

peer review mode in Road Safety High Level Group meetings over the last three years. To further reinforce collective scrutiny and the sharing of lessons learned among Member States, the Commission explicitly foresaw in 2022 the need for a detailed monitoring tool as part of its contract on the European Road Safety Observatory. The tool is currently under development and a first version should be ready in 2024. It will assist Member States in monitoring progress and provide the Commission with a much better overview and assessment of the situation across the EU.²

The Commission continues to support Member States, through the Connecting Europe Facility (CEF) funding, in the development and collection of road safety KPIs. It notes that participation in the Trendline project is much higher than in the previous Baseline project (25 member states will collect KPIs, and two will be observers) and that considerable progress has been made with the standard methodology. The Commission is encouraging Member States to apply the standard methodology as far as possible while recognising national specificities. Even if the data will not fully be comparable between Member States, the Commission believes that targets can be set at national level. At the same time, it recognises that the setting of aggregated EU level targets on KPIs will be more challenging.³

To date, the Commission has not issued any recommendation to Member States on safe speed although it acknowledges fully that speed is one of the main factors in road deaths and serious injuries. Setting local speed limits is a national, regional and sometimes municipal competence. However, addressing excessive speed is already inherent in many of the policy, monitoring, financing, and outreach initiatives that the Commission is promoting at EU level, such as the Urban Mobility Framework and the KPIs, developed with the Member States experts, which include speed management. Through the European Road Safety Observatory, the Commission has also published evidence showing the impact of speed on road safety and set out a range of measures to tackle speeding. The Commission will consider what further guidance may be appropriate.⁴

2. EU actions under the road use, vehicle and infrastructure pillars

In September 2022, the [Vehicle General Safety Regulation](#) came into force. It introduced a range of mandatory advanced driver assistant systems to improve road safety and established the legal framework for the approval of automated and fully driverless vehicles in the EU. The vehicle safety measures help to better protect passengers, pedestrians and cyclists across the EU.⁵

The EU primary legislation, namely [Directive 2008/96/EC](#) on road infrastructure safety management, as amended by [Directive \(EU\) 2019/1936](#) (so-called RISM), applies to major / high speed roads, such as motorways, TEN-T network, primary roads and EU funded interurban roads. Consequently, the road safety procedures foreseen therein apply to these roads. As these procedures involve a significant administrative effort from the Member States and their application to all roads would be disproportionate, the Commission is trying to address the infrastructure for vulnerable users, as far as possible, in the guidelines being developed under the mandate granted by RISM.⁶

² ECA observations 28-33

³ ECA observation 34

⁴ ECA observations 40-54

⁵ ECA observations 57-64

⁶ ECA observations 65-72

The Network wide Road Safety Assessments are primarily, a valuable tool for the Member States for the application of [Directive 2008/96/EC](#) and were not foreseen as a tool to compare Member States but, rather, as a means for every Member State to identify the most dangerous sections and priority areas where more work is needed to increase the safety of the infrastructure. Although cross-country comparisons can be carried out based on the national road safety statistics, they do not, however, focus specifically on the safety aspects of the infrastructure networks.

3. EU road safety: project selection and monitoring indicators

As regards Cohesion policy funds, road safety is an important and integral part of the mapping exercise of the enabling condition for effective and efficient use of Union support granted by the ERDF and Cohesion Fund for transport. The selection of operations to be supported is the responsibility of the relevant authorities / bodies in the Member States implementing Cohesion policy programmes in line with [Regulation \(EU\) 2021/1060](#). This includes the establishment of selection criteria and methodologies.

In terms of the ERDF or CEF funding, achieving EU road safety objectives was not a key criterion for project selection and monitoring indicators. Additional result indicators on fatalities and serious injuries are not required to determine the cost effectiveness of project applications, which is already evaluated by the present award criteria. Project implementation is monitored through “continuous reporting” with milestones and deliverables demonstrating the progress in implementation of the Grant agreements’ work packages and the overall project. The finalization of the grant agreement terminates the contractual relationship and financial transactions, ex-post evaluations would thus fall outside of this framework. Road safety data, can also be obtained from other sources at the level of Member States with higher consistency.⁷

III. COMMISSION REPLIES TO THE RECOMMENDATIONS OF ECA

1. Recommendation 1 - Improve reporting on serious injuries and set performance targets

The Commission should work with member states:

- (a) to ensure that they collect and report data on serious injuries using a common definition based on the MAIS3+ trauma scale;**

Target implementation date: by 2026

- (b) towards a consistent application of the standard methodology, as well as a quantification of interim and final targets for the key performance indicators at national level – and where appropriate, at EU level – for tracking progress towards the 2030 and 2050 objectives.**

⁷ ECA observations 83-102

Target implementation date: by 2026

The Commission **accepts** Recommendation 1(a).

The Commission will continue to work with Member States and encourage them to use the MAIS3+ trauma scale to measure and monitor progress on serious injuries, also to address the problem of under-reporting for vulnerable road users.

The Commission **accepts** Recommendation 1(b).

The Commission agrees on the need to work with Member States to apply the common methodology as far as possible and has already initiated this work through the Trendline project. The Commission, will also work with Member States on outcome targets based on the indicators, while recognising national specificities.

2. Recommendation 2 - Increase the focus on the causes of accidents and introduce further guidance covering all risk areas

The Commission should:

- (a) promote detailed investigations of the causes of accidents by member states, especially in hotspots, and harmonised reporting on them;**

Target implementation date: by 2026

- (b) provide member states with further guidance in order to address the main risk factors more effectively (including speed and infrastructure design for roads with the highest number of fatalities), with a particular focus on vulnerable road users.**

Target implementation date: by 2026

The Commission **partially accepts** Recommendation 2(a).

The Commission recognises the benefits of detailed investigations and of promoting them but it cannot readily commit to harmonised reporting without additional resources. The Commission notes furthermore that while the EU-funded DaCoTA project produced an on-line manual for in-depth road accident investigators, several countries do not carry these out due to the costly nature of such investigations.

The Commission **accepts** Recommendation 2(b).

The Commission will provide Member States with further guidance to address the main risk factors more effectively, with a particular focus on vulnerable users.

3. Recommendation 3 - Envisage clearer prioritisation and an ex-post assessment for EU co-funded projects with road safety objectives

The Commission should:

- (a) prioritise the selection of projects with road safety objectives which are submitted under the Connecting Europe Facility (direct management) which have explicitly provided quantitative data on their expected results in terms of avoiding fatalities and serious injuries;**

Target implementation date: by 2025

- (b) advise programmes' monitoring committees to specify relevant selection criteria that include road safety objectives for road projects under shared management, for example, by building on the results of the network wide road safety assessment;**

Target implementation date: by 2025

- (c) promote the concepts under (a) for programmes and projects with road safety objectives under shared management to managing authorities (in particular when designing programmes) and the programmes' monitoring committees;**

Target implementation date: by 2025

- (d) develop outcome indicators to assess the project performance in terms of road safety for the purpose of *ex-post* evaluations.**

Target implementation date: by 2025

The Commission **accepts** Recommendation 3(a).

The Commission recognises the added value of quantified data on the expected result in terms of avoiding fatalities and serious injuries in proposals for projects with road safety objectives submitted under CEF for evaluating the merits of such proposals. This would complement or further detail the cost-benefit analysis, which already must be submitted for works applications. The evaluation of projects under CEF is based on five specific award criteria – Priority and Urgency, Maturity, Quality, Impact and Catalytic effect, which are all of equal ranking. This means that in order for a project to pass the evaluation, it needs to pass with the minimum score on each of the five criteria; the final selection is done based on the cumulative score obtained on the five award criteria. The Commission cannot generally prioritise projects with quantified data on their expected results in terms of avoiding fatalities and serious injuries. The Commission will however take the provision of such information positively into account during the evaluation of proposals against the Impact award criterion, where this would be one element among others. Such information remains without any prejudice for the evaluation against the other award criteria.

The Commission **accepts** Recommendation 3(b).

According to the Regulation (EU) 2021/1060, it is primarily the role of the monitoring committees in the Member States to adopt appropriate selection criteria as part of the implementation of Cohesion policy programmes. However, the Commission can and will advise programmes' monitoring committees to specify relevant selection criteria that include road safety objectives for road projects under shared management. The same Regulation stipulates the enabling condition that Cohesion policy co-financing for transport projects in 2021-2027 depends on a comprehensive transport planning that takes account of the assessment of road safety risks in line with existing national road safety strategies, together with a mapping of the affected roads and sections and providing with a prioritization of the corresponding investments.

The Commission **accepts** Recommendation 3(c).

For projects under shared management with road safety objectives, the Commission will promote the concepts to the managing authorities and to the programmes' monitoring committees.

The Commission **does not accept** Recommendation 3(d).

The Commission considers that developing outcome indicators in general without relation to a specific ex-post evaluation would represent additional administrative burden that does not seem justified at this stage. Moreover, there are a number of constraints to the use of such indicators. For instance, the long implementation period of some (works) projects may change the initial assumptions based on external factors (new rules or driver's behaviour, other investments in related section, economy, geopolitical, climate, etc.), which are outside the beneficiaries' influence and projects may be challenged in reaching their performance indicators, when the global framework conditions may have changed.