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Criteria for BEST Practice Demerit POINT Systems

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**European Demerit Point Systems: Overview of their main features
and expert opinions**

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Abstract

This deliverable displays the results of work package 1 “Methodology and Data Collection” of the EU Bestpoint project (“Criteria for BEST Practice Demerit POINT Systems”) funded under Grant Agreement Number MOVE/SUB/2010/D3/300-1/S12.569987-BestPoint by the European Commission, Directorate-General for Mobility and Transport. It aims at collecting detailed information about implemented DPS and the general framework in different EU countries.

At the moment, 21 out of 27 EU countries have a DPS installed. Most countries use the DPS as a prevention tool, some also for the correction of offenders’ behaviour and the selection of habitual offenders. DPS were introduced to provide higher road safety. Most of the countries add the points, only some subtract points. Four of the countries count every offence equally as one point. In the other countries, offences and number of points are weighted on the basis of seriousness of the offence. The experts prefer the criterion of seriousness for pointing, but also point out that the system should be simple and clear.

In most of the countries, the DPS targets licence holders only and it does not include pedestrians and cyclists. The experts differ widely in their opinion; some say that persons without a licence should not be included because drivers of motor vehicles are main violators. Many countries treat novice drivers differently; some DPS even apply only to novice drivers.

After 3-39 points there is a licence withdrawal, meaning that 1-4 offences minimum may lead to licence withdrawal. The licence withdrawal may last from one to twelve months, in most countries the period is 6 months. Most of the experts say that the withdrawal period should not be too short, because a shorter period would degrade the deterrence effect of the system. As an intermediate measure, 13 countries provide driver improvement courses which focus mostly on driving knowledge; although most of the experts see the importance of attitude change in a rehabilitation course.

Further topics which are discussed in the deliverable concern the issues “Transparency and Information”, “Acceptance”, “Enforcement”, “Administration” and “Monitoring and Evaluating DPS”.

The content of this deliverable will serve as input to Bestpoint WP2 “Analysis and Evaluation” where the collected data will be analysed in detail.

Executive Summary

This deliverable displays the results of work package 1 “Methodology and Data Collection” of the EU Bestpoint project. Bestpoint thereby is used as an acronym for “Criteria for BEST Practice Demerit POINT Systems”. The project is funded under Grant Agreement Number MOVE/SUB/2010/D3/300-1/S12.569987-BestPoint by the European Commission, Directorate-General for Mobility and Transport. It aims at sharing the best practice of demerit point systems (DPS) to ensure road safety and to develop standardised procedures for DPS throughout the European Union.

Work package 1 “Methodology and Data Collection” aimed at collecting detailed information about implemented DPS and the general framework in different EU countries. At the moment 21 out of 27 EU Countries have a DPS installed. The content of this deliverable will serve as input to Bestpoint WP2 “Analysis and Evaluation” where the collected data will be analysed in detail. The document at hand consists of eleven content-related chapters.

The chapter “Definition and legal framework of DPS” surveys the general purpose and legal framework of DPS implemented in 21 EU countries. The earliest introduction of a DPS was in 1974 in Germany, followed by Great Britain (1988) and France (1992). Most countries use the DPS as a prevention tool, some also for the correction of offenders’ behaviour and the selection of habitual offenders. DPS were introduced to provide higher road safety. It is described how different systems are defined and implemented in law. In most of the countries, the definition and objective of DPS are fixed by law.

The chapter “DPS taxonomy and points calculation” gives an overview over how the calculation of points takes place, i.e. if points are added or reduced. Concerning this aspect, most of the countries add the points and only four of the countries count every offence equally as one point. Most of the experts find the taxonomy of the DPS applied in their country simple and easy to understand.

The chapter “Target group related issues” gives an overview about which target groups are concerned by the DPS in different countries. In most of the countries, the DPS refers to licence holders only and it does not include pedestrians and cyclists. The experts differ widely in their opinion, some say that persons without a licence should be not included because drivers are main violators; others say that people who do not hold a driver’s licence should be included in the DPS because of the high number of illegal drivers or offences like crossing the street during red light. Many countries treat novice drivers differently, e.g. in the Netherlands even, the DPS applies to novice drivers only. Overall, the group is treated more severely. Most experts agree to a differentiated approach to novice drivers, e.g., because accident statistics show that young drivers tend more to certain types of accidents. Professional drivers are treated differently in some countries, as well. The withdrawal period can be shorter, but the amount of points which leads to a withdrawal can also be smaller. Experts have different opinions; on the one hand it may be reasonable to take into account the effects on the life of offenders when deciding the length of driving licence withdrawal. On the other hand, professional drivers should not been given advantages.

The chapter “Offence-related issues” sums up the criteria for the number of points to be gained or lost by a certain offence in different countries. It also describes which offences are included in the points’ catalogue and if the criteria to include are based on accident risk or other criteria besides road safety. The chapter also gives information about the “lifetime” - the period of registering - of points. With regard to number of points two main approaches can be distinguished: all offences result in the same amount of points or offences and number of points is weighted on the basis of seriousness of the offence severity. Hence, most of the offences may have a high accident risk. Nevertheless, there are also exceptions (offences without accident risk) which lead to points, e.g., the non-using of a seat belt or driving an administratively suspended vehicle. The experts prefer the criterion of seriousness, but

also point out that the system should be simple and clear. The lifetime of points is 6 months to five years (for criminal offences up to 11 years); it may depend on being a novice driver, a professional driver, re-offending in that period and seriousness of offence. There is a huge range of the amount of offences included in the DPS. In Austria there are 13 offences included in the DPS, in Germany, 1.296 offences are included. In case of multiple offences, points are cumulated or the most severe offence leads to points.

The chapter “Intermediate measures” deals with measures applied within the scope of DPS, mainly warning letters and driver improvement courses. For some categories of offenders, rehabilitation may be the only useful tool. In the frame of the DPS, in 13 countries, the DPS provides measures which include the element of rehabilitation. Some of them are voluntary, some are mandatory. In all countries where information about the course content is given the focus is on driving knowledge, although most of the experts see the importance of attitude change in a rehabilitation course. In 5 countries, there are special programs for different offences; three of them provide special courses for drug and alcohol offences. Regular attendance and sometimes an exam afterwards are criteria for passing a course. The number of levels of consequences differs between the countries. However, many countries have two levels: after a certain amount of points the offender receives a warning; after reaching the maximum amount of points, the licence is withdrawn. Some experts say that the measure is pointless regarding traffic safety because there is little evidence on the effects on safety. A reason could be that the group of a same course is too heterogeneous to display a program which fit to everyone; therefore, target group-specific programs are demanded. Measures may also be discriminating towards less well-off drivers. Some experts say that the system does not need a possibility to reduce points. Other experts point out that training is thought to be more effective than punishment and it should require a focus on attitude change, because a pure driver improvement course is not enough to reach the objective. Most of the experts agree that a warning letter is a useful measure and should be included in the DPS.

The chapter “Licence withdrawal” surveys issues connected to withdrawal of the driving licence as this is a core element of DPS and may have a highly deterrent effect. After a defined amount of points or offences, respectively, the offender's driving licence can be withdrawn. The amount of points differs widely between the countries (3-39) and thus, it cannot be compared. To compare the countries one has to look at the minimum number of committed offences which leads to a licence withdrawal (see table 11). Novice drivers, when treated differently, may offend only once or twice at minimum; the other drivers may offend once to four times at minimum, depending on the country they live in. The withdrawal period can be 1 month (seldom), 3 months (some countries), 6 months (most of the countries), 1 year (many countries) or even up to 10 years (seldom; for severe offences). Most of the experts say that the withdrawal period should not be too short, because a shorter period would degrade the deterrence effect of the system. It should be at least 6 months long. In none of the countries, other measures beyond withdrawal in the context of the DPS do exist. Many experts state that measures beyond licence withdrawal are not needed; two experts bring alcohol interlock up as a measure. To re-grant the licence, in some countries you do not have to do anything in particular and in other countries you have to take a course, the theoretical and practical exam, a medical-psychological assessment or other tests. Most experts agree to the re-granting measures; some highlight psychological assessment as a useful measure.

The chapter “Transparency & information” sums up how the public and the offenders are informed about the DPS itself and its functioning. To inform the public, several measures are taken. Information about the DPS is written in the newspapers and in other media, you can inform yourself on websites, you are taught during the driver's lessons, there are campaigns and advertisement. Although the public is well informed that the DPS exist, they do not know the details. The more complicated a

system becomes the less the public is well informed. But there is little evidence on the public's knowledge. Many experts state that the DPS is intransparent; the public is not informed enough and that there should be some campaigns. In 18 countries, the offender is informed on spot, after each point and/or when reaching a certain amount of points (see table 12). Mostly, he or she gets informed by a letter. In some countries you can ask about your current amount of points in a police station, you can check online or ask at the local authority. Mostly a warning letter is sent when the next offence will lead to a licence withdrawal. Experts give the opinion that the access to the point account should be facilitated for drivers, e.g. there should be online information. Additionally, experts state that the warning should be sent early.

The chapter "Acceptance" deals with what is known about the acceptance of DPS by different target groups. Thereby, a fair penalty (pointing) according to subjective risk increases acceptance. In all of the countries there seem to be no problems with the acceptance by road users. For example, there are studies in the Czech Republic and in Ireland which show that the road users find the DPS useful or are in favour of it. In other studies, e.g. in Germany, less than half of the driving population consider the DPS as a measure to increase road safety. Some experts point out, that drivers that behave orderly in traffic accept the system well, while the criticism comes usually from offenders. In general, the acceptance by politicians mostly is considered to be very high.

The chapter "Enforcement" deals with questions concerning the liability of offenders and their prosecution. The driver is made liable in every country, except when he or she cannot be identified. If this is the case, in some countries, the owner is made liable. The owner may have to pay a fine; in single other countries, the owner receives the points. In some countries, the owner has to nominate the driver; in other countries there is the constitutional right of "nemo tenetur", the right to remain silent. Most experts say that it would be ideal that the offender is punished and not the vehicle owner, but as to mandatory nomination the opinions differ. The level of enforcement could either be input or output of a DPS. There could be only widely enforced offences included or you could intensify the enforcement for offences on the DPS list. Obviously, a DPS does hardly make sense if no one is ever caught and punished for the offences within the DPS. Hence, high enforcement levels are very important for road safety. Some experts see a lack of staff and budget - especially the police - in their country to provide enough enforcement. Additionally, in this chapter, it is discussed how it is dealt with offenders from other countries and offences of own citizens offending abroad. The regulations about cross border enforcement differ between the countries and experts would like to see them more unified. Mostly, foreign offenders only have to pay a fine when offending.

The chapter "Administration" provides information about all administrative issues related to DPS. Several organizations can be responsible for the administration of a DPS, e.g., a dedicated body, police, a ministry. Administration, enforcement and points collecting is sometimes done by the police only, sometimes it is divided between the court or a ministry of transport and local authorities. There is not much information available on the number of people working on the administration on DPS. In some smaller countries the employees do not only work with the DPS, they have other tasks, as well. Experts state that their system works well and that the staff working on the administration of DPS is adequate. For most of the countries there is no information available regarding the total costs of running the DPS per year. Costs are partly financed by the fees. To develop a well-functioning DPS, one should consider the ways of processing information until an offence results in points. The time it takes between detection of the offence, the registering of points and information of the offender about the points varies not only from country to country but also within countries; depending on the detection of the offence (automatic camera or police), the staff and the seriousness of the offence. In average, it takes about one to two months. A few experts state that the processing of information is too long; others are satisfied with the process. Looking at the ways of processing information one can

differentiate between procedures where points are automatically assigned to the offender or court procedures. In most of the countries, court decisions are done only in cases of criminal offences and if the driver objects to the notification. When looking at the structure and organization of the DPS, it can be differentiated between a central and a federal organization. In many of the countries, the register of points is central. Local registers are additionally available in only few countries. Central registration is favoured by the experts.

The chapter “Monitoring and Evaluation” deals with issues concerning the monitoring and evaluation of DPS. It is important to have regular expertise to check the organization of DPS and to make the system as transparent as possible. Measures to maintain and optimize the DPS may be necessary. Many countries do not evaluate their DPS on a regular basis. Measures to supervise, maintain and optimize the DPS are very seldom. Malta and Luxemburg have an internal supervision. The Netherlands see a solution by automating parts of the administration. In Latvia, there are statistics of the most severe and common offenses done to evaluate those more in-depth. In Germany, there is a daily quality control of the data handling done to detect errors. They also do annual statistics about the offenses and offenders. In Great Britain, there has been an evaluation done of the deterrent effect of penalty points partly in relation to speed offences. Country-specifically, there is only few data available on the positive effect of the DPS. In the Netherlands, there was no reduction in crash rate. The reduction in average speed found in Denmark, disappeared over time. In Germany, the positive effect is concluded from the fact that there are a lot of offenders with low point status and fewer offenders with high point status. The higher the status of points the less offenders are registered. Experts cannot provide much data or results from studies.

The chapter “Others” provides information about issues which were not yet dealt with in other chapters, but which seem to be necessary to inform about as they may be related to DPS. In most of the countries, there is neither a link with insurance premiums nor are the employers of offenders informed about the amount of points the employee has. While the former is seen very useful by the experts, about the latter the opinions differ because some see legal difficulties as to privacy.

To sum up all the information of this deliverable, 21 of 27 EU-member states have implemented a DPS. Thereby, some DPS seem to be similar regarding several features, e.g. in France and in Spain (all drivers have 12 points, points are reduced, voluntary participation in a course leads to additional points, withdrawal when all points are lost for a period of six months), others seem to be completely different, e.g. Austria (offense = one point, points are added, participation in a course is mandatory, withdrawal period endures 3 months). Nevertheless it can be stated that none of the DPS are the same.

Table 1: Overview of DPS in 21 EU countries and their main features

Countries	Taxonomy, calculation of points (Addition/ Subtraction)	Amount of points until withdrawal (novice drivers)	Minimum number of committed offences until withdrawal (novice drivers)	Driver improvement course (voluntary vs. mandatory)	Warning letter	Withdrawal period in months
Austria	A	3	3	M	X	3*****
Bulgaria	S	39 (27)	4	V	--	6
Cyprus	A	12	--	--	--	6-12*
Czech Republic	A	12	2-3	V	--	12
Denmark	A	3 in 3 years (2 in 3 years)	3 (2)	--	--	6*****
Finland	A	3 in 1 year or 4 in 2 years (2 in 1 year or 3 in 2 years)	3 (2)	--	X	1-6*
France	S	12 (6)	2 (1)	V/M***	X	6- 12(2 nd time)
Germany	A	18	4	V/M	X	6
Great Britain	A	12 (6)	No information	V	--	6*****
Greece	A	25 or the same violation twice	--	M****	X	6- 12(2 nd time)*****
Hungary	A	18	2	V/M****	X	6
Ireland	A	12	3	--	--	6
Italy	S	20	3 in one year (1)	V	--	none
Latvia	A	16 (10)	2	M	X	12
Luxembourg	S	12	No information	V	--	12
Malta	A	12	2	--	No information	3

Netherlands	A	3	3	--	--	none
Poland	A	24 (20)	3	--	--	none
Romania	A	15	3	V	--	1-2(2 nd time)*****
Slovenia	A	18	1	--	No information	6
Spain	S	12 (8), 8*, 15**	2	V/M****	X	3/6**
Total/Range	A=16/S=5	3-39	1-4(1-2)	V:9 / M:7	8	1-12

* For people who lost their licence

** For professional drivers

*** For novice drivers

**** As re-granting procedure

*****flexible

1 Introduction

This deliverable displays the results of work package 1 “Methodology and Data Collection” of the EU Bestpoint project (Bestpoint). Bestpoint thereby is used as an acronym for “Criteria for BEST Practice Demerit POINT Systems”. The project is funded under Grant Agreement Number MOVE/SUB/2010/D3/300-1/S12.569987-BestPoint by the European Commission, Directorate-General for Mobility and Transport. It aims at sharing the best practice of demerit point systems (DPS) to ensure road safety and to develop standardised procedures for DPS throughout the European Union (EU).

DPS are systems which take into account recidivism of traffic offenders. When offenders accumulate offences, they can be identified through their high, respectively low, amount of points. In the scope of the DPS, offenders are warned when they reach a certain amount of points in order to behave according to the traffic rules in future. Some countries which have DPS implemented also apply driver improvement measures to achieve behavioural change of offenders. In a last step, offenders are removed from motorized road traffic through withdrawal of their driving licence. Often, these offenders have to undergo a special procedure prior to licence reinstatement, e.g. do a driving test. To sum it up, DPS have three main objectives: to deter drivers from offending, to select those who re-offend and to correct their behaviour (SWOV, 2008).

The overall objective of the EU Bestpoint project is to promote and ensure safe mobility throughout the EU by the provision of specific information on implemented DPS. On this base, EU-wide best practice guidelines will be compiled. The target audience of the project are decision and policy makers at all levels, from European to local, as well as the scientific community and practitioners in the field.

In order to achieve the envisaged goals, Bestpoint consists of three content-related work packages which are divided in several sub-tasks:

1. Methodology and data collection
 - 1.1 Literature review
 - 1.2 Elaboration of definitions and justification of classification and selection criteria
 - 1.3 Elaboration of tools for data collection
 - 1.4 Data collection
2. Analysis and evaluation
 - 2.1 Analysis and evaluation of DPS
 - 2.2 Analysis of the framework for implementation and enforcement of DPS on EU level
3. Dissemination
 - 3.1 Development and installation of a website
 - 3.2 Final conference
 - 3.3 Compilation of an EU handbook

The deliverable at hand is the result of Work package 1 “Methodology and Data Collection”. Work package 1 aimed at collecting detailed information about implemented DPS (see overview in table 2) and the general framework in different countries.

The data collection within work package 1 was carried out in several working steps. Detailed information about the methodology used is described in Annex A-D of the deliverable. Information about DPS was collected from three main sources:

- a) From literature: scientific articles, reports, books and presentations
- b) From internal team meetings: task meetings and meetings within the involved institutions
- c) From expert interviews: Bestpoint team members carried out interviews in each EU country having a DPS implemented (for the interview guidelines see Annex E). Due to non-responding problems, information cannot be presented for each of the countries. In addition it needs to be mentioned that some issues are not relevant for some countries. Hence, experts in those countries were not asked about these issues.

The deliverable at hand gives an overview about the information from sources b) and c). An inventory of the available literature was made and reported in Working Paper 1.1. It will serve as input to WP2 and will be included in the Bestpoint deliverable 2, but is not reported in the deliverable at hand.

The document at hand consists of twelve content-related chapters, starting with chapter 3:

- 3. Definition and legal framework of DPS
- 4. DPS taxonomy and points calculation
- 5. Target group related issues
- 6. Offence related issues
- 7. Intermediate measures
- 8. Licence withdrawal
- 9. Transparency & information
- 10. Acceptance
- 11. Enforcement
- 12. Administration
- 13. Monitoring
- 14. Others

The chapters are divided into sub-chapters which present information about specific topics concerning the main issue of the chapter. Each sub-chapter starts with information about the factual properties/features about DPS implemented in the different countries ("Questions: properties"), based on information from the literature, but also on information that was gathered in the expert interviews. The results from the expert interviews are depicted in the last part of the sub-chapter ("Questions: opinions").

The tasks of work package 1 "Methodology and data collection" close with this deliverable. All collected data serve as a base for work package 2 "Analysis and evaluation". Work package 2 will analyse and evaluate the collected data. This should result in best practice guidelines for DPS. In a further step, the legal framework for implementing DPS effectively will be recommended. All results will be compiled in a handbook which provides guidelines how to implement and design an effective DPS at the European level.

Table 2: EU countries with and without a DPS

Countries	With a DPS	Without a DPS
Austria	X	
Belgium		X
Bulgaria	X	
Cyprus	X	
Czech Republic	X	
Denmark	X	
Estonia		X
Finland	X	
France	X	
Germany	X	
Great Britain	X	
Greece	X	
Hungary	X	
Ireland	X	
Italy	X	
Latvia	X	
Lithuania		X
Luxembourg	X	
Malta	X	
Netherlands	X	
Poland	X	
Portugal		X
Romania	X	
Slovakia		X
Slovenia	X	
Spain	X	
Sweden		X
Total	21	6

2 Methodology

The methodology of work package 1 developed steadily from task 1.1 to task 1.4. The purpose of task 1.1 “Literature review” was the collection of available literature, including relevant OECD-reports and previous EU projects’ results. The literature included consisted of scientific articles, scientific working papers, reports, newsletters, information sheets and power point presentations. On the one hand literature about the design of Demerit Point Systems (DPS) in EU member states, Canada, Australia, and USA was collected. On the other hand, literature about the DPS, such as evaluation studies and other studies about the effect of DPS was gathered.

For the purpose of collecting the literature, two templates were developed. One template was used to collect information about scientific studies about the effects of DPS. The results are displayed in the Annexes of working paper 1.1 and will be input in Bestpoint deliverable 2. A second template was used to collect information about the design of the DPS in different countries. Provision of national information concerning the countries’ DPS was executed by the Bestpoint partners with the focus on their own country and ETSC concentrated on non-Bestpoint-participating EU countries. The results served as input for this deliverable in the sub-chapter on factual properties of DPS in different countries.

The definition of system components and effect factors of DPS represents the goal of task 1.2 “Elaboration of definitions and justification of classification and selection criteria”. As general DPS objectives three main issues were identified: deterrence, selection and correction. Based on the outcomes of task 1.1, a brainstorming led to the development of a list of issues to consider when looking at DPS. Eventually, nine general issues concerning DPS involving three or more specific issues were identified (table 3).

Table 3: Issues to consider when looking at DPS

General issue	Specific issue
1. Definition of DPS	
2. Target group related issues	<ul style="list-style-type: none">• Target group - all drivers• Target group - novice drivers• Target group - professional drivers• Target group - others
3. Offense related issues	<ul style="list-style-type: none">• List of offenses according to accident risk• Criteria for including or excluding offenses• Criteria for “pointing” / amount of points for specific offenses• Amount of offenses involved in the catalogue• Lifetime of points
4. Intermediate measures to regain points	<ul style="list-style-type: none">• Possibilities to reduce penalty points by participating in<ul style="list-style-type: none">- a driver improvement course- a first aid course- theoretical driving lessons- practical driving lessons- a securing load course

	<ul style="list-style-type: none"> • Mode of participation in a measure <ul style="list-style-type: none"> - voluntary - mandatory
5. Transparency and knowledge	<ul style="list-style-type: none"> • Transparency (knowledge) of <ul style="list-style-type: none"> - own amount of points - amount of points related to offences (point details) - functioning of the system (which measures at specific amount of points) • Timing of information of the driver • Simplicity / Complexity of counting points
6. Acceptance and enforcement	<ul style="list-style-type: none"> • Acceptance <ul style="list-style-type: none"> - by road users - by police officers - by administrative stuff (management of DPS) - by judicial stuff (management of DPS)
7. Administration and enforcement	<ul style="list-style-type: none"> • Legal issues that make DPS function - owner vs. driver liability • Anti-cheating features (anti-circumvention features) • Legal issues that make DPS function - automatic process vs. court decision for sanctioning • Sanctions / consequences related to points • Organization and structure - central vs. rural • Procedures - ways of processing information • Cross border enforcement • Level of enforcement for each offense • Licence withdrawal when reaching a certain amount of points • Quality assurance
8. Evaluation and statistics	<ul style="list-style-type: none"> • Regular evaluation / supervision, maintaining and optimization of DPS (statistics) • Effect of DPS (e.g. actual number of lives saved) • Cost-benefit ratio
9. Others	<ul style="list-style-type: none"> • Re-granting period • Re-granting procedure • Link with insurance premiums, employers (professional divers)

The purpose of task 1.3 “Elaboration of tools for data collection” was the development of tools for collection of detailed data on promising DPS systems in task 1.4. It was decided that the collection of relevant data needed to be carried out by face-to-face or telephone interviews with different experts. As a consequence, the team of task 1.3 needed to create interview guidelines as a tool for data collection. For this purpose, the issues extracted by task 1.2, were characterized more in detail and re-structured. The new, more complex, and better structured issues were then transformed to a table in an excel file. Each partner filled the table with information which was already gathered in task 1.1. The interview guidelines were oriented by the missing country information. For each country, specific interview guidelines were developed. Thereby the questions all remained the same, but the pre-filled information differed between the countries (for details see Annex C and E).

The interviews were executed within task 1.4 “Data collection” with the aim to gather detailed information about implemented systems and the general framework in the EU27-countries, as well as in non EU-countries. This deliverable represents the main objective of task 1.4: the compilation of a report about DPS. In order to gather detailed information about implemented DPS, interviews with experts were carried out in task 1.4. As information was not available in each country about the same issues, for each country specific guidelines were developed. All partners involved in task 1.4 took over responsibility to carry out expert interviews in the own country and in one or two other EU countries. Persons from different areas were considered as experts, and hence, served as interview partners:

- Ministry of Transport
- Authority running the DPS
 - Central Authority
 - Local Authority
- Ministry of Interior/Police
- Ministry of Justice
- Road safety research
- Evaluation research

A table which lists the concrete experts who served as interviewees is presented in Annex D. The concrete questions which were asked are presented in the interview guidelines in Annex E.

After the interviews had been conducted, the results were sent back to the interviewees thus they were able to correct or confirm their answers. In particular in relation to the opinions which are presented in this deliverable, it needs to be emphasized, that these are opinions from different experts in different countries. There may be a bias based on the affiliation of the interviewee(s), e.g. a person from a ministry may be less critical than an independent researcher. The statements are neither the team’s opinions nor the opinions of the European Commission.

3 Definition and legal framework of DPS

This chapter surveys the general purpose and legal framework of DPS in different European countries. It is described how different systems are defined and implemented in law. Whenever possible, sections express the selective, preventive and corrective objectives of DPS.

3.1 Properties

Questions concerned the definition and objective of the DPS in a country. It was also asked if the definition is fixed by law and when the system was introduced. For detailed information about the questions see the interview guidelines in Annex E.

Austria

There is no legal definition of the Austrian DPS. Due to the intention of the legislator, with the DPS there should be implemented a unitary and transparent system to affect unteachable persistent offenders and risky drivers by sanctioning and awareness-raising measures as well as the imparting of knowledge. This objective is not stated by the law. The system was introduced in July 2005.

Bulgaria

The Demerit Point System was implemented in 2000. It is implemented in Road Traffic Law and Specific regulation.

Cyprus

There is no definition set by law. The system was introduced in 2000.

Czech Republic

The penalty point system is usually defined as administrative measure that enables monitoring of frequency of doing (or not doing) offences or criminal acts in road traffic by the drivers of motor vehicles. The definition is not fixed by law.

The objective of the point system is fixed by law (361/2000 About road traffic, chapter V). Point assessment of violations of obligations is fixed by law (§ 123a): Point assessment ensures monitoring of repeated doing of offences or criminal acts done by violation of specified obligations fixed by rules about road traffic by driver of motor vehicle, or not violating these obligations by driver.

More to the purpose the objective is expressed on www.novapraavidla.cz, official page for informing road users:

The objective of point assessment of drivers is:

- To prevent violation of road traffic rules by deterrence, specifically by threat of driving licence withdrawal.
- To eliminate the drivers that repeatedly commit serious traffic violations, and therefore they become dangerous to other road users when driving motor vehicle.
- To create transparent and unambiguously defined system of sanctions of offenders

The penalty point system in the Czech Republic was introduced in July 2006.

Denmark

The objective of the demerit point system is to prevent road users from dangerous behaviour in traffic. It was a wish to establish an arrangement for withdrawal of the driving licence aiming at those road users that repeatedly commit serious offences, which- if sanctioned one at a time – is not sanctioned by withdrawal of the driving licence.

The definition is fixed by law. The DPS is part of the Danish Road Safety Act. The DPS implies that each of 17 selected dangerous violations – apart from a fine – will result in 1 point. If you get 3 points within 3 years you will have a conditional withdrawal. The system was introduced September 2005 as preventive measure.

Finland

Finland does not have a demerit point system literally, but there is in fact a system resembling a demerit point system. The objective is not specified in the law. The law was first introduced in 1981.

France

Objectives:

- enforcement function: To avoid recidivism of dangerous behaviours
- educational function: To improve knowledge about the impairments of the traffic system and awareness of the social aspect of driving (responsibilities of the driver and sharing of the road)

Selective aspect: the system takes off the road the drivers committing more often violations (zero points=licence cancelled)

Corrective aspect: you never lose your licence with only one violation.

The system was introduced the 1st of July 1992.

Germany

The point system is implemented in § 4 StVG (Straßenverkehrsgesetz = Road Traffic Law) and in § 10 FeV (Fahrerlaubnisverordnung = driving licence regulation).

For protection against vehicle driver and owners who repeatedly violate traffic rules, the competent licensing authority must take actions within the point system according to § 4 Road Traffic Law. The system was introduced in 1974 and reformed in 1999. A new reform will take place in 2013.

Great Britain

Penalty points are placed on a driving licence. Objective: Assumed to be so that drivers who commit a lot of more minor offences are eventually faced with possible disqualification. The objective is to improve road safety. The definition is not fixed by law. The system was introduced under Road Traffic Act 1972, amended by the Transport Act 1981 and then RT Offenders Act 1988.

Greece

The system was implemented in 2000. It is implemented in Law 3542/2007.

Hungary

The DPS is primarily for prevention, but also selection.

Note: the system worked badly before 2008 (before major refurbishment in terms of fine catalogue and owner liability). Initially - in 2001- a system was proposed by the police (=major responsible for the system) with 1-3 points, later the proposal was softened by politics to 1 point per offence (no matter how severe the offence), hence it was nearly impossible to reach the maximum of 18 points before 2008. The system was introduced in 2001.

Ireland

A penalty point is essentially a formal reprimand by the police endorsed on your driving licence record that shows you are guilty of a specific driving offence. The objective is to improve driver behaviour in Ireland and reduce the levels of death and serious injury on our roads.

The definition/objective is fixed by law: See 2002 Road Traffic Act

(<http://www.irishstatutebook.ie/2002/en/act/pub/0012/index.html>). They were updated in 2006 and 2010. The system was introduced 31st October 2002.

Italy

The Italian Demerit Point System was adopted on the 1st of July 2003 and published within the Italian Highway Code (the 126-bis article). The adoption of the demerit point system in Italy aimed at tackling road safety with stronger measures and preventing irresponsible behaviour of road users. The DPS does not aim at sanctioning drivers yet at change driver's behaviour as it is a complementary measure to the sanctioning system already in force.

Latvia

The aim of the demerit point system (DPS) in Latvia is to separate the malicious and regular violators from those who are driving according to the road traffic rules.

The DPS was legally implemented in July 2004 (Regulation 551, issued by the Cabinet of Ministers of the Republic of Latvia, Riga, 6/21/004 'The regulations for appliance of penalties' registration point system.' Amendments were done in 2005, 2006 and 2009). It means that drivers who have committed violations are punished both by fines and by receiving penalty points. The DPS besides punishment includes also information, rehabilitation and re-licensing.

During the time several amendments were implemented to the system:

- 1) 14.10.2005: Points are coupled with administration sanctions of 5 to 15 days of imprisonment for drivers with more than 1 g/l of alcohol.
- 2) 13.10.2006: Additional point(s) might be given to the drivers for operating a vehicle without an inspection sticker or for violation of regulations involving passengers (failure to use a safety belt or child-restraint system, carrying a greater number of passengers than permitted by vehicle's manufacturer.)
- 3) 01.02.2009: The DPS also targets moped riders. Moped is a motor vehicle with two or three wheels, which is restricted to 45 km/h and from a maximum engine displacement of 50cc (spark ignition engine) or 4kW (electromotor).

Luxemburg

The objectives are prevention, selection and correction. The definition/objective is not fixed by law. The system was introduced in November 1st, 2002.

Malta

The objective is to promote better behaviour and attitude towards safe driving, and at the same time to discourage repeated offences that could lead to traffic accidents, and risking people's lives. In January 2004 the penalty point system on probationary driving licence holders was implemented after Regulation 33 of the Motor Vehicles (Driving Licences) Regulations was brought into force by LN 420/2003.

Netherlands

The DPS for novice drivers was introduced in the Netherlands in March 2002. The strongest accent of the system for novice drivers is on prevention. In the clarification of the formal text of law, it is explained that the measure belongs to a general category of measures that serve the purpose of prevention. The formal text of law does not specify the objective.

Poland

The main aim of the DPS is prevention. The definition is fixed by law in the Polish Highway Code, article 130: Police is carrying out the register of drivers violating traffic rules. The system was introduced in 1998.

Romania

The objective of the DPS is defined as a complementary measure for monetary fines, but the points do not replace fines.

The DPS is defined by Government Decree OUG 195/2002, amended and republished. One relatively important amendment was made in 2007 through law 69/2007.

Slovenia

The Demerit Point System was implemented in 1998 in the Road Safety Act and the Misdemeanours Act.

Spain

The definition is set by the Law 17/2005 of 19 July (amending the national road traffic, motor vehicle mobility and road safety regulation), which has been amended by Law 18/2009 of 23 November. The law entered into force in July 2006.

3.2 Summary and overview

The presentation of the results from the Bestpoint survey starts with an introduction to the different DPS of the various countries that contains the general purpose and legal framework of the DPS in the different European countries and describes how different systems are defined and implemented in law. The earliest introduction of a DPS was in 1974 in Germany, followed by Great Britain (1988) and France (1992). Most countries use the DPS as a prevention tool, some also for correction and selection. DPS were introduced to provide higher road safety. In most of the countries, the definition is fixed by law (see table 4).

Table 4: DPS definition fixed by law

Definition fixed by law	Definition not fixed by law	No information
Czech Republic (objective is fixed by law), Denmark, Germany, Ireland, Italy, Latvia, Malta, Netherlands, Poland, Romania, Slovenia, Spain	Austria, Cyprus, Finland, Great Britain, Luxembourg	Bulgaria, France, Hungary, Greece
12	5	4

4 DPS taxonomy and points calculation

This chapter gives an overview about the different taxonomies and calculation systems in the different countries. Generally, the counting of points and the taxonomy should be simple and transparent for the individual.

4.1 Properties

The questions were formulated in order to gain insight how the taxonomy of the DPS in each country is constructed and how points are counted (added or reduced?).

Austria

The points (registrations) are added. For every offence there is one point.

Cyprus

Points are added. It is easy to understand how points are counted.

Czech Republic

Penalty points are added up. The procedure is fixed, amounts of points for offences also fixed, the system is easy to understand.

Denmark

The taxonomy is simple; one conviction leads to one point. The points are added. It is easy to understand how points are counted.

Finland

In the current Finnish system all offences that are counted have the same weight and are summed up. Current system is quite simple.

France

The total of points is reduced when offences are committed. At the start, it was simple because it dealt only with violations endangering others and seatbelts. It has become much more complex since the last years. It is reasonably simple to understand how points are counted because it is automatic: for each violation, a number of points are associated. The more complicated is the rule of reattribution of points: there is the loss of one point, after a six months delay if no violation is committed during this period in order to recuperate this point. There is the loss of 2 or 3 points, after a delay of 2 years if no violation is committed. There is the loss of 4 or 6 points, after a delay of 3 years if no violation is committed.

Germany

Points are added. Due to the deletion impediment and the bonus-malus-system, the pointing becomes complex and is not transparent.

Great Britain

Points are added and endorsed on licence. It is easy to understand how points are counted.

Greece

Points are added. It is easy to understand how points are counted.

Hungary

Points are added. Each offence can lead to 1-9 points.

Ireland

Points are added. It is easy to understand how points are counted.

Italy

Points are subtracted. The DPS is structured as follows: all driving licences issued before and after 30th of June 2003 receive a score of 20 points that can be deducted (to a scale from 1 to 10 points, 15 if more than one offence occurred within the same context) depending on the severity of the offence committed. On the other hand, since the adoption of the law one can receive a maximum of 2 points every 2 years if no traffic offences are committed. Furthermore if the driver lost a few points on the licence but manages to behave correctly afterwards (that is no infractions for the following two years), the total score of 20 points is reintegrated.

Latvia

Points are added. It is simple how points are counted.

Luxembourg

Points are reduced. It is easy to understand how points are counted (from 12 to 0).

Malta

Points are added. The system is very simple and straight forward. For every offence listed in the schedule.

Netherlands

Points are added. The system is very simple, 1 point per offence.

Poland

Points are added. It is easy to understand how points are counted.

Romania

Points are added. It is easy to understand how points are counted.

Spain

Points are subtracted. The driver starts with a credit of points and, where applicable, the points are deducted depending on offences committed. The experience showed that it is an easy system to understand.

Slovenia

Points are added.

4.2 Opinions

Experts were asked what they think about the taxonomy of their system and how points are counted. They were asked to provide evidence for their answers.

Austria

- 1) Basically, the taxonomy works, though the complexity should not increase – the question to be asked is what we concentrate on (which offences?), including speed (violations in the DPS would not be politically doable).
- 2) To my opinion, Austria's system is a two-handed sword instead of a scalpel. Severeness needs to be considered.

Cyprus

The taxonomy of our system is not complicated issue.

Czech Republic

- 1) The system works well, but there is still scope for changes (count up the points for cumulated offences, adjustment of lifetime...). The taxonomy of our system is simple, understandable.
- 2) The system is good, except deleting points for participation in safe driving training.
- 3) The taxonomy of our system is complicated and intransparent.
- 4) The system works well
- 5) The system works well

Finland

- 1) It is not at all important whether the points are added or reduced.
- 2) The current Finnish system is not easy to understand for everybody although one could say that it is simple.

France

The system has become much more complex since the last years.

Great Britain

- 1) I am satisfied with the taxonomy of our system. I am satisfied how points are counted.
- 2) Anecdotally from my research, it seems some drivers are unaware when points cease to be live, so they may think they are eligible for disqualification when they are not.

Greece

- 1) The taxonomy of our system is not important.
- 2) The taxonomy of our system should be merged to the Traffic Law.
- 3) It is easier for the users if they are positive.

Ireland

The taxonomy of our system is fine; it is simple to understand. It is simple and easy to understand how points are counted.

Latvia

The existing DPS is very understandable and not too complicated. It is important how points are counted, that it is not too complicated and understandable for all drivers.

Luxembourg

The system is transparent and easy to understand. It is not complicated how points are counted.

Malta

- 1) The system is intended to make the roads safer. About how points are counted, they are well distributed according to the offence.
- 2) It has to be as simple as possible how points are counted so that it is understandable. The present system works well.
- 3) The points are added up. For an offence the minimum is set to 3 points. The present system works well.

Poland

The taxonomy of our system is not complicated issue.

Spain

The classification of offences carrying a loss of points is clear and accessible to any driver. It seems that it is an easy system to implement and understand. The starting credit for every driver as well as the offences carrying a loss of points are fixed by the law.

4.3 Summary and overview

Table 5 shows, that in most of the countries the points are added, only five countries subtract points. Only four of the countries count every offence equally as one point. Most of the experts find the taxonomy of the DPS simple and easy to understand.

Table 5: Overview of the taxonomy and point calculation

Countries	Added	Reduced	1 offence = 1 point
Austria	X		X
Bulgaria		X	
Cyprus	X		
Czech Republic	X		
Denmark	X		X
Finland	X		X
France		X	
Germany	X		
Great Britain	X		
Greece	X		
Hungary	X		
Ireland	X		
Italy		X	
Latvia	X		
Luxembourg		X	
Malta	X		
Netherlands	X		X
Poland	X		
Romania	X		
Slovenia	X		
Spain		X	
Total	16	5	4

5 Target group related issues

This chapter gives an overview about which target groups are concerned by the DPS in different countries. The special issues consider the following target groups: all drivers, novice drivers, professional drivers, cyclists, pedestrians and other specific target groups.

5.1 *Special Issue: All drivers*

This sub-section presents information about findings from literature and facts about whether DPS target all road users or exclude particular categories of drivers or include only particular categories of drivers. Actually, DPS can aim at general prevention for all road users, as well as selection and correction of high risk drivers.

5.1.1 *Properties*

Questions concerned information if the DPS in a country targets all motor vehicle users and if it is necessary to hold a driving licence to be targeted. For detailed information about the questions see the interview guidelines in Annex E.

Austria

The DPS targets all power-driven 2- and 4- wheelers. Only drivers with driving or moped licences are targeted.

Cyprus

The system is targeted to drivers of motor vehicles. Only in case of alcohol offences, the DPS targets drivers of all vehicles.

Czech Republic

The DPS in the Czech Republic is aimed to all drivers of motor vehicles. Even if the offender driving the motor vehicle does not own the driving licence, if caught, points are assigned to him.

Denmark

The DPS targets all drivers of all vehicles for which a licence is required.

It is not necessary to hold a drivers licence to be targeted. If a driver does not have a driving licence and he/she gets 3 points, his/her right to acquire a driving licence will be conditionally suspended.

Finland

The DPS targets all licensed drivers of motor vehicles.

France

The DPS targets all licensed drivers of all vehicles for which a licence is required.

There is a law stipulating that the system concerns only licence holders (so, it excludes bicyclists and pedestrians).

Germany

The points system targets all road users who hold a driving licence. Nevertheless, also offending non-owners are registered in the Central Register for Traffic offenders, although they do not gain points.

Great Britain

The DPS targets drivers of motorised vehicles. It is not necessary to hold a licence. If no licence is held and points are incurred a 'ghost licence' is created, and a record kept by the Driver and Vehicle Licensing Agency DVLA.

Greece

The DPS targets car and motorcycle drivers (including motorbikes and 3-wheelers, as well as heavy goods vehicles).

It is necessary to hold a driving licence to be targeted.

Hungary

The DPS targets drivers of vehicles the driving of which requires a driving licence.

Ireland

The DPS targets all drivers. There is no distinction between ages (except below), road user's types, speed at which was travelled, or anything else. It is not necessary to own a driving licence.

Under the road Traffic Act, road users are not treated differently. However, there was a conflict under the Children's Act relating to 17/18 year olds who are offered a chance to benefit from a Diversion Programme. This takes precedence over the Road Traffic Act. They have to be eligible for this program otherwise they will get the points.

Italy

The DPS targets all drivers holding a valid driving licence.

The DPS targets all drivers of vehicles for which a driving licence is required. Since the adoption of the law, also moped drivers are included. If the violation is made while driving vehicles that do not require a driving licence (e.g. bikes) no points are deducted even if the offender does hold a driving licence.

Latvia

It is necessary to hold a driving licence.

Luxembourg

The DPS includes everyone with a driving licence, regardless of what type of licence he holds.

It is necessary to own a driving licence to be targeted.

Malta

The DPS does not target all drivers but it applies only to new drivers in possession of a three year probationary driving licence.

Netherlands

The DPS is targeted at novice drivers (first five years after licensing) only. This measure applies to all novice drivers: passenger vehicle drivers, lorry drivers, and motorcyclists. Only licence holders can receive points.

Poland

The DPS targets all road users except pedestrians. It is necessary to hold a driving licence to be targeted, because this is a drivers' register.

Romania

The DPS does not target all drivers, mopeds are not included.

It is necessary to hold a driving licence to be targeted.

Slovenia

All road users accept the cyclists.

Spain

The DPS targets motorized vehicle drivers. The DPS is aimed at drivers who hold a driving licence for vehicles requiring authorization. One must have a permit or a driver's licence.

5.1.2 Opinions

Experts were asked about their opinion regarding the in- or exclusion of persons who do not own drivers licence. Per country the various opinions are just listed. For detailed information about the questions see the interview guidelines in Annex E.

Austria

- 1) Including persons who do not hold a licence certainly would be an adequate measure. it has to be well thought out: for severe offences, alcohol offences this would be thinkable (bicycling, moped drivers under the influence of alcohol).
- 2) 'Nonsense': traffic exists for humans. First and foremost, humans are pedestrians. Only under the condition that there is a severe violation/crime. If more vulnerable road users are disturbed (e.g. cycling in a pedestrian area). Car & pedestrian = danger for life and body; Bicyclists & pedestrians = interact on a personal level, life and body is not the primary concern.
- 3) It would make sense, when someone aims for a driver's licence in the future. Otherwise the sanctions would not work. In general it makes sense.
- 4) I would include persons who do not hold a licence, because red light running pedestrian, cyclists, alcohol offences by pedestrians and other are a reliable predictor for automotive road use behaviour. Can't prove this by evidence.
- 5) Persons who do not hold a driver's licence should be included in the DPS. Reason: the high number of illegal drivers. One should ensure that the offenders/their offences are apparent for every public authority – in all provinces, for each public authority. Currently in the public authorities one cannot see what s/he did. The driver licence register is complicated in concept; severe alcohol offences (>0,8) are currently not included. Not every public authority inputs everything (DPS-relevant) into the Driver Licence Register (requires a concrete decree).
- 6) Persons committing severe administrative infringements are registered. Subsequently they lose their permission to drive and they don't get back their driving licence. A severe administrative infringement means no longer being safe for traffic.

Czech Republic

- 1) Aiming also to the drivers without licence is reasonable because of prevention.
- 2) Aiming also to the drivers without licence is reasonable, but targeted work with drivers that commit offences even before obtaining driving licence should follow. They should be specially treated during their training in driving schools and the licence should be issued only for testing period.
- 3) System that is aimed only to licence owners is discriminating towards the licence owners. It is appropriate to follow all offenders.
- 4) Aiming to more road users is appropriate. It enables to have knowledge about behaviour of applicant before driving licence is given to him.
- 5) DPS should be aimed only to driving licence owners, the relevance for other groups is disputable, the consequences only symbolical

Finland

- 1) Most benefits of DPS systems concern drivers of motor vehicles. Including other road user groups in the system would make the system more complicated but bring little additional benefits.
- 2) Drivers of motor vehicles are a natural target group, because their behaviour is decisive for road safety, and especially the safety of other road users. Pedestrians and cyclists seldom hurt others. Including others than holders of driving licence would complicate the system, and raise also some concern regarding equality (e.g. withdrawal of licence does not concern those who have no licence).
- 3) Including those who do not have driving licence (pedestrians, cyclists) would bring only marginal safety benefits, but would make the system administration more complicated.
- 4) Including other road user groups in the system would not be unfair. However, the key issue is which offences would be included.
- 5) Drivers of motor vehicles are the proper target group for DPS. Including other road user groups in the system would make the system more complicated but bring little additional benefits.

Germany

It is right to include only licence holders as the measures of the DPS target only holders. Motor vehicle drivers pose a higher risk than other road users. In case of repeated offences, exclusion from traffic is necessary in order to reduce the danger. This serves the purpose to protect third parties. Concerning other road users, there is no insertion point for measures. If they were prohibited from participation in traffic, e.g. as cyclist or pedestrian, it would be a disproportionate intrusion into their personal rights.

Great Britain

It seems to work. They can still be disqualified. My opinion is based on experience.

Greece

- 1) All the users of the road that use a mean of transport should be included, because they use space from of the road. The driving licence should not be necessary.
- 2) All the users of the road should be included in the DPS. Like in other countries (i.e. UK) all road users, including pedestrians, should take blame and responsibilities.
- 3) Having a driving licence is a prerequisite for the implementation and enforcement of the DPS. Other road users could be included in the Road Safety Code (RSC) as offenders, but it is not possible to be included in the DPS and getting points.
- 4) The drivers licence is a prerequisite for the enforcement of the DPS. It should be wise to include also all the other users of the road, but we need to think how we will implement this.
- 5) I do not agree to include persons who do not hold a licence. He/she is not permitted to drive.
- 6) Having a driving licence is a prerequisite for the implementation and enforcement of the DPS. User of the road that don't have a drivers licence are "punished" only with fines. Additionally, only the users that have a drivers licence are trained in order to use the road and obey the RTC

Hungary

I do not think that other transport modes should be included.

Ireland

Our system allows you to deal with people that don't have a licence because points are attached to licence record rather than licence itself so when someone applies for licence or exchanges licence point will be waiting for them.

Latvia

It has not been considered to include persons who do not hold a driver's licence in the DPS.

A driver who does not hold a valid driver's licence gets the fine. This person cannot apply for the driver's licence until the fine is paid.

Luxembourg

This option to include persons who do not hold a drivers licence was not taken into consideration when the system was implemented.

Malta

- 1) Especially pedestrians crossing on red light should be included. Cyclists driving in the middle of the road and passing on red light should be also included.
- 2) The system should focus on persons that can affect safety on the road. Therefore, pedestrians cross on red light or cyclists keep going or cycling in the middle of the road should be included.
- 3) Persons who do not hold a driving licence should not be included.

Poland

Not including persons without a licence is a good solution because drivers are main violators.

Romania

Moped riders should be included and starting in 2013, mopeds will be ridden only with a licence so they will be covered automatically.

Spain

Law 17/2005 does not refer to people who do not have a driving licence. It sets, in its additional provision number 13, administrative effects of criminal convictions involving the deprivation of the right to drive.

5.2 Special Issue: novice drivers

Official accident statistics show that novice drivers pose a higher risk in traffic. There is a range of other measure targeting the particular risks of novice drivers. This section displays details about if and how novice drivers are treated by DPS in different European countries.

5.2.1 Properties

Experts were asked to describe details about how novice drivers are treated by the DPS. For detailed information about the questions see the interview guidelines in Annex E.

Bulgaria

The maximum number of points for drivers with up to two years of experience is different (27 instead of 39)

Denmark

If the driving licence is less than three years old, the rules are stricter: Only 2 violations within a period of 3 years will cause a driving ban. This goes for all motor driven vehicles, for which you have a driving licence.

France

Novice drivers have only half of the points compared to experienced drivers.

Experienced drivers can have 12 points, novice drivers start at 6 points. Novice drivers gain 2 points per year during the first 3 years if they commit no offences (or 3 points the 2 first years if the licence has been obtained through accompanied driving). In the same way, the novice driver must follow a course as soon as he/she has lost half or more of his/her points.

Finland

The threshold for suspension of driving licence is lower for novice drivers: 2 offences in a year or 3 offences in two years for novice drivers, when the respective numbers for other drivers are 3 and 4.

Germany

The parallel measure “Driving licence on probation” only includes novice drivers. This parallel measure is administrated also by the Federal Motor Transport Authority. When a notification about an offence reaches the Central Register for Traffic Offenders, it is checked in the Central Register for Driving Licences if it concerns a novice driver. If this is the case, the competent local driving licensing authority is informed. Otherwise it would not know about the offence.

Great Britain

Novice drivers within two years of acquiring licence are allowed a maximum of 6 points. If they incur 6 or more points within 2 years of passing their test, their licence is revoked. If they wish to drive again they have to apply for a provisional licence and take the test again.

Greece

Novice drivers are treated differently. For the novice drivers who do not have reached the 3 years of having a driver's licence, each violation is given 3 more demerit points.

Italy

Novice drivers are treated differently. If the offence occurs during the first 3 years from the attainment of a driving licence the number of points to be deducted is doubled. E.g., if an experienced driver goes through the red light, there will be 6 points deducted while a novice driver gets 12 points deducted. In addition to that, following a law adopted in August 2010, novice drivers who do not commit any offence receive 1 point each year for the first three years.

Latvia

There are different rules for novice drivers (for 2 years after licensing). 10 points (instead of 16) result in licence withdrawal with one year disqualification. The BAC limit for novice drivers is lower (0.2‰ instead of 0.5‰).

Malta

The DPS only caters for Novice Drivers.

Netherlands

The Dutch DPS only applies to Novice Drivers.

Poland

A driver has to collect 24 points in order to lose his/her driving licence. The novice drivers have lower limit, after collecting 20 points they lose their licence.

Romania

Novice drivers are treated as any other vehicle driver in terms of the DPS. However, the legislation states that for novice drivers (less than 1 year experience) the prevailing speed limits are lower than for other drivers.

Slovenia

If you are a novice driver (drivers up to the age of 21), the driving licence becomes invalid when one reaches or surpasses seven (instead of 18) penalty points in road use in the period of three years.

Spain

Novice drivers with less than 3 years of experience start with a credit of only 8 points (instead of 12), and if in the following 2 years they don't lose any point, they get extra bonus points (12 points). Their licence is withdrawn for a shorter period of time. Moreover, the same number of points is deducted for committing the same offences as other drivers, although the rate of alcohol allowed is less than the one allowed to other drivers.

Austria, Cyprus, Czech Republic, Hungary, Ireland, Luxembourg

The DPS does not treat novice drivers differently.

5.2.2 Opinions

This sub-chapter displays the expert opinions on the way that novice drivers are treated by the DPS.

Austria

- 1) Novice drivers should be handled like all others in the DPS. Novice drivers already have a special treatment because of their probationary driving period.
- 2) Equal rights for everyone! Novice drivers should not be treated stricter in DPS. We know that Novice drivers pay less attention to speed limits and red light: this is about presenting oneself in a good light, to prove oneself (development to an adult; adults from whom they adopt their malpractice). The same should be applied for everyone: The problem is that there is not enough observation. Malpractice can hardly ever be controlled. Drivers are punished in the rarest of cases. Frequency of observation is too low. Novice drivers should be reminded about the consequences again and again – hopefully through DPS – in reality, this is too inconsequential and there is too little observation and intervention. Harder penalisation of novice drivers is useful only for raising attention/importance – and to compensate lacking observation.
- 3) Within the overall system of measures and penalties, it is possible that severe measures - among which driver improvement courses - are taken, even before the severity of an offence exceeds the threshold for being considered within the DPS. Everything that intensifies the treatment of novice drivers should be welcomed, as it is by novice drivers that violations are made. It is precisely novice drivers that often make major violations, therefore this would be welcomed.
- 4) In Austria, there are several other means of "treating" novice drivers. Including them in the DPS with different threshold would constitute double treatment. The whole system would have to be redesigned.
- 5) Driver point offences and retraining offences (Austrian rehabilitation system) should be the same. It is not understandable that in the driver point offence catalogue speed offences are not included. After the (2 years) trial period one has "free rein" - compared to the trial period regarding driving speed. In principle all conditions should be equal. Currently the political message is: "the one who has a new driver's licence must go to retraining when s/he drives too quickly; the older drivers do not need to."
- 6) In Austria there is the probationary period anyway. In this period there are measures (e.g. those of the Austrian DPS). But there is no facilitation of novice drivers. For novice drivers there are tightened conditions (corrective training, etc.). If these conditions would not exist it would be useful to implement them.

Cyprus

The system should treat novice drivers differently; there are plans to change the law.

Czech Republic

- 1) Differentiated approach to novice drivers would be suitable. Accident statistics show that young drivers tends more to certain types of accidents, and this behaviour is not always related to lack of experience, but to attitudes. Special treatment of novice drivers (different criteria for giving points, offer of consultations and courses) would enable to eliminate certain proportion of accidents.
- 2) Novice drivers should be treated differently, e.g. more points for serious offences, so that wrong behaviour would be stopped more quickly (and would not become a habit); then special courses aimed to attitudes should follow immediately.
- 3) In some aspects, different approach would be suitable, but I principally prefer the same criteria for everybody without regard to length of driving practice.
- 4) In case of different approach to novice drivers would be suitable to follow ONLY deliberate illegal actions, not small blunders of beginner.
- 5) The DPS should be more strict to novice drivers, lacking the knowledge and experience they should learn to follow the rules and realize the necessity of compliance
- 6) To keep the system simple, rather probationary driving licence should be introduced.

Denmark

It makes sense to treat young drivers in a specific way as it is well known they often take more chances at the same time as they are not as experienced as drivers. They overestimate their own skills as drivers.

The evidence is shown in the statistics: 'Young drivers' risk of getting involved in an accident is much higher than other drivers'.

Finland

- 1) Stricter policy for novice drivers is OK, because early intervention has probably better effect on behaviour than intervention at later stages of driving career.
- 2) It is OK to have stricter rules for novice drivers. Their accident risk is high and they are more receptive to corrective actions. It is OK to have stricter rules for novice drivers, because I assume that it is easier to change their behaviour than the behaviour of more experienced drivers.
- 3) Stricter policy for novice drivers is justified, because the novice drivers are more likely involved in accidents than average drivers.
- 4) Stricter policy for novice drivers is OK, because they have high accident risk and early intervention to incorrect behaviour is important.

France

It is interesting to meet the novice driver quickly when he/she commits violations. As soon as they lose 3 points or more, they have to take an educational program (a course) It is adequate, according to various international researches, to hold young drivers responsible as soon as possible.

Germany

It is right to treat novice drivers differently as they belong to a group with few experiences and high willingness to take risks, which are not practiced in handling the car. Wrong behaviour should early be pointed out to them. From my own experience in traffic, I know that this measure exerts a high general preventive effect as they want to keep the newly gained mobility through the driving licence in any case.

Greece

- 1) Novice drivers should have a driving licence under surveillance and be able to lose it very easily. They should be under surveillance for 2-3 years.
- 2) Novice drivers should be treated in a more severe way. The points should be more for them and they should also be in surveillance for a while.
- 3) Novice drivers should be treated in a more severe way.
- 4) Novice drivers should be treated in a more severe way. Their behaviour should be in compliance to the insurances (increased or decreased). Also the novice drivers should be under close surveillance.
- 5) They should be treated equally; they are normal drivers as all others.
- 6) The Greek DPS is already very harsh, so it doesn't need to be different, meaning harsher for the novice drivers. Additionally, it is difficult to define and identify the novice drivers.

Great Britain

- 1) I think it is right to treat them differently; novice drivers have a very high accident rate.
- 2) I think it is right to treat them differently, it reflects crash risk. I think this due to DFT data.

Hungary

It would definitely be useful (as was proposed by KTI in the past) to have a stricter system for novice drivers (lower threshold or more points).

Ireland

It is anticipated that novice drivers will be treated differently in relation to drink driving and the penalty point system in the future. It will probably be a medium term measure

We know that novice drivers are over represented in Irish Road Collisions.

An Exploratory Study was conducted by the Road Safety Authority. Data utilised in this study were obtained from Republic of Ireland 1997-2009 accident database. The results showed that male provisional licence holders and young male full licence drivers are relatively more likely than other cohorts to be involved in fatal collisions

Italy

- 1) I don't share the idea of a system awarding drivers who behave correctly on the roads. A Government seriously committed in tackling road safety should not award road users who comply with the law but just focus on those who do not. The 2 points bonus system every two years should be reviewed also because this way it cannot be perceived as an effective deterrent to change drivers' behaviour. (*Giordano Biserni, ASAPS Executive Director*)
- 2) Recent changes in our legislation make more severe the points' loss for novice and professional drivers. (*Pierangelo Sardi, Road Safety expert*)

Latvia

It is important to pay more attention to novice drivers, especially young males, who are overrepresented in the accident statistics. Existing treatments (lower BAC level and point limit) are sufficient.

Luxembourg

All road users should be treated in the same way.

Malta

- 1) There should remain a distinction between probationary licence holders, and other licence holders, possibly retaining the existing system for the first three years, and adopting a higher amount of penalty point tolerance for experienced drivers as is done in most countries.
- 2) The awarding of points should be different from normal drivers or Professional Drivers. Novice drivers shall be allotted less points to lose. So they pay more attention for not having the licence withdrawn.
- 3) There should be a stricter system for novice drivers. This in view that they aren't so experienced. They might lack confidence. They also commit serious contraventions like using a mobile while driving, passing on red light.

Poland

It is a good solution to treat novice drivers differently. The research shows that they are the most risky group.

Spain

The distinction laid down by the law seems to be logical.

5.3 Special Issue: professional drivers

Professional drivers differ from non-professional drivers in average mileage, type of exposure, training, retraining and education as well as responsibility, in case of trucks, busses and dangerous goods in exposing risk to others. Further, they lose the basis of their income when losing the driving licence.

Professional drivers are drivers whose profession is primarily driving (e.g. taxi drivers, public transport drivers, truck drivers....), not the people that need to drive for practice of their profession (e.g. travelling salesmen). In spite of the fact that the members of the second group may drive more kilometres per year than members of the first group, it would be difficult in practice to distinguish them from legal point of view from common driving population. Nevertheless, this chapter contains information if DPS treat professional drivers differently.

5.3.1 Properties

Experts were asked if the DPS specifies specific rules for professional drivers and how they are treated. In addition, the definition of professional driver was required.

Czech Republic

There is no special treatment in sense of different counting of points, lifetime of points or special measures.

Nevertheless, there are such offences included in penalty point system that cannot be committed by anybody except professional drivers (e.g. not making prescribed stops when driving or driving longer than prescribed).

France

There are no exceptions for professional drivers except concerning the alcohol legal rate for the busses drivers (0,2g/l instead of 0, 4g/l for others drivers), so then they lose 6 points for this rate.

Greece

The DPS treats professional drivers differently. In the case of professional drivers the demerit points are omitted after 2 years, instead of 3 which is the case with the nonprofessional drivers.

Professional drivers are the ones who own a Certificate of Professional Capability.

Ireland

DPS does not treat Professional drivers differently. Under DPS, there is no definition of “professional drivers” but the following are considered as professional drivers: Taxi drivers, bus drivers, hauliers.

Italy

The DPS treats professional drivers differently. Professional drivers owning a specific licence (CQC) will have points deducted only on the professional licence instead of the private one if the offence is committed while working. Concerning the specific courses organised by the national driving schools, professional drivers are able to regain up to 9 points instead of 6 points foreseen for all the other categories.

Spain

The DPS treats professional drivers differently. Professional drivers have a special program: the withdrawal of the driving licence is 3 months (instead of 6 months) and they attend a different course because they have a different driver's licence. Professional drivers are most at risk and more exposed. They have 3 points more (15 points in total).

The professional driver loses the same number of points for the same offences imposed for other drivers, although there are some differences:

- the allowed rate of alcohol is lower than that one required for other drivers;
- if they exceed more than 50% of driving time or take less than more of 50% of the rest time they keep points;
- the first time, they lose their licence for 3 months, the second time, they lose their licence for 6 months;
- they are required to attend a re-education course and pass a theory test at the Provincial Traffic Department.
- they will start with a credit of only 8 points in the new licence (instead of 15 points in the original licence).

A driver giving proof of its professional status may attend a course on an annual basis and, if he loses his overall credit he will get back his licence in three months (Article 63.7 of Law 17/2005).

Law 17/2005 provides definition of professional drivers in its third additional provision. A professional driver is, according to the provisions of this Act, a person holding the administrative authorization to drive, whose main job is driving a motor vehicle aimed at transport goods or people, as certificated by the company for which he carries on that activity, along with Social Security contributions that show that he is an employee of the company. If it is a self-employed driver, the certification referred to in the preceding paragraph shall be replaced by a statement of his own employer. The Traffic Department provides the entries for professional drivers.

Austria, Cyprus, Denmark, Finland, Germany, Great Britain, Hungary, Ireland, Malta, Netherlands, Latvia, Luxembourg, Poland, Romania

There is no special treatment for professional drivers.

5.3.2 Opinions

In order to get ideas about if it is good practice to treat professional drivers differently, experts were asked about their opinion about this issue.

Austria

- 1) Heavy goods drivers and bus drivers already have an alcohol limit of 0,1 blood alcohol level to consider. Professional drivers are longer on the roads as others compared to drivers who are not professionally driving. The impact of example setting is important here.
- 2) Relating to the general population, there is no direct access to drivers when it comes to safe performance. As a professional driver, one has to follow the rules meticulously – it is imaginable to treat professional drivers differently (e.g. taxi drivers, truck drivers). E.g.: Taxi drivers know exactly how to take advantage of the system and its defects – enforce priority etc. – they are well schooled in how to break the rules. If all professional drivers where to be enclosed in a contract – it would be adequate to ask which consequences this “contract” (focus) would have on the overall system “traffic”. At the same time, through the DPS there is a kind of pressure. Here, the problem is speed (loading safety has to be evaluated less high).
- 3) It does not appear necessary to treat professional drivers differently. There are two major conditions for professional drivers: alcohol limitations, cargo securing. The driver is dealing with transport and loading activities on a daily basis. These are included well enough in the DPS.
- 4) Higher exposure would suggest treating Professionals less rigorously, on the other hand, the intrinsic risk of their exposure tends to be higher (e.g. bus driver with 60 passengers, truck driver with 35000 litre of fuel). Professionals’ needs in terms of earning their life may be considered. However, in the end there is no striking argument to treat them differently.
- 5) Drivers from East Europe only pay a fine for violations (the Austrian authority does not check for entries in the Driver Licence Register). Basically, it would not be legally allowed to treat natives in a different way, but this is current practice in everyday life. The offences committed by professional drivers are mostly related to exceeding driving times. Sometimes the driver is glad that he was ‘discovered’. The Authority Weiz (district of Styria) targets control of heavy goods vehicles with „quick judges“; it is problematic to penalise only the driver of the heavy goods vehicle (for foreigners de facto): it would be better to remove the employer’s business licence: often the salaries are so low and only when overtime starts is the job worthwhile for a driver... For natives the employer also is prosecuted but by foreign drivers this does not work. Recommendation: Electronic surveillance of fatigue with eye reactions.
- 6) In the DPS we have included the securing of cargo. It would be possible to set a higher standard, because the professional driver has more opportunities to commit mistakes. Because of this a higher standard of training should be claimed (for instance a corrective training at first infringement). It would be sensible to toughen up on professional drivers.

Czech Republic

- 1) Regarding traffic safety, different approach to professional drivers probably would have no point.
- 2) Professional drivers are not distinguished as risk group; they are treated sufficiently outside DPS.
- 3) Professional drivers are practically the hostage of irresponsible hauliers. Instead of different approach within DPS, working conditions should be examined and breaking rules by hauliers in national and international transport, their exploitative attitude. These are often the real reasons why their employees reach 12 points, and it should not be tolerated and even supported by changing approach to professional drivers within DPS.
- 4) The DPS should treat professional drivers with principally no different approach. Common sense should be used when following offences concerning obligatory stops and prescribed time of driving, not to give points because of one or two minutes.
- 5) The system should be stricter to professionals; they should comply with all rules carefully.

- 6) The DPS should treat professional drivers with the same approach. Professional drivers are more exposed to traffic, therefore more exposed to the risk of committing offence; occupational risk should be considered. The control from employer could be misused.

Finland

- 1) It is not known if police enforcement in practice treats professional drivers less strictly.
- 2) It is reasonable to take into account the effects on the life of offenders when deciding the length of driving licence withdrawal. Professional drivers can even avoid withdrawal of driving licence entirely and receive a written warning instead.
- 3) In principle the same rules should apply to professional drivers (even though they drive more than other drivers). It is OK however that when deciding penalties (length of licence withdrawal) the effects on the life of people are taken into account (concerns all drivers, not only professionals). For example, if withdrawal of driving licence would lead to excessive difficulties, warning can sometimes be given instead of withdrawal of licence.
- 4) Professional drivers should be treated in the same way as other drivers (even though they drive more), because they can be required to behave more safely than ordinary drivers. Police can use their judgement when deciding (suggesting?) the duration of driving ban.
- 5) It is important which offences are included in the system. The withdrawal of driving licence can be hard for professional drivers but, on the other hand, they should behave more safely than private drivers.
- 6) It is reasonable to expect better than average behaviour from professional drivers. Therefore there is no reason to treat them more gently than other drivers

France

Despite the demonstrations and strikes of professional drivers in 1992, the government did not wish to organize a more flexible system for professional drivers. It has been estimated that their risk exposure is bigger in terms of kilometres driven, and that, as professional drivers, they should be even more a good model.

Germany

- 1) All drivers should be treated the same with regard to the general preventive effect.
- 2) Already prior to 1999 there was a discussion if professional drivers should be treated less strict than others. Especially professional drivers carry a high responsibility. Hence, especially they need to drive according to the rules as they have a high traffic exposure. A stricter system for them was not yet discussed.
- 3) Professional drivers have a high exposure to traffic. Accidents with trucks often have heavy consequences, meaning a high tendency to cause harm. It should be avoided to put them in a better position. In Germany, there exist special offences which lead to points and which can only be caused by truck drivers, e.g. securing of load. Indeed, they depend on their driving licence, but they already knew this prior to measures within the point system.
- 4) Professional drivers should not be given advantages. Normally professional drivers are specially trained according to the "Qualification Law for Professional Drivers". The group of professional drivers is also targeted by other preventive measures, e.g. regular medical checks. Further, the question arises who is assumed to be a professional driver? How is professional driver defined? Commuters and travelling salesmen sometimes drive even more kilometres. From the traffic safety point of view, a bonus for frequent drivers does not make sense. Desired are drivers conforming to the rules.

Great Britain

As professional drivers would tend to cover higher mileage, it could be said that the regime is more difficult for them.

Greece

- 1) Professional drivers should be treated in a more severe way. They should be having driving lessons-sessions every 5 years. The points should be the same.
- 2) Professional drivers should be treated in a more severe way. The risk is bigger in their case since they drive more.
- 3) Professional drivers snarl in more severe accidents and they are very dangerous for the other road users. So they should be treated in a more severe way. Their points should last less than the other drivers.
- 4) DPS should be more severe for professional drivers because they tend to cause severe accidents due to the size of the vehicle they drive.
- 5) Professional drivers should be equally treated; they are normal drivers as all others.
- 6) Professional drivers use the road constantly so they cannot have the burden of the points. It is more possible for them to participate in a conflict. The system must be more flexible for them.

Hungary

Maybe there could be stricter requirements... but it didn't work out e.g. in France, due to protests from the haulier lobby.

Ireland

Professional drivers have a higher volume of travel and therefore have an increased chance of been involved in collisions.

Malta

- 1) The present DPS does not cater for Professional Drivers. In the case of including professional drivers (those that earn their living from driving), the points system would need to be looked into within the context of new penalty points systems that is stricter. One have to keep in mind that they are bus drivers with approx. 50 passengers and truck drivers who carry dangerous goods like flammable liquid etc.
- 2) Professional drivers should be treated differently. The system must be rigid on them. Professional drivers are more exposed for offences. If accidents happen it may result in higher consequences. Therefore the standard for them should be set higher.
- 3) Professional drivers should be treated differently. The system must be rigid on them. Professional drivers are longer on the road so they must pay particular attention for the rules. They are more exposed to cause serious accidents and the consequences are bigger, especially when driving Coaches or dangerous Cargo.

Latvia

At the moment there is ongoing discussion for lowering the BAC limit for professional drivers to 0.2‰ (as it is for novice drivers).

Luxembourg

All road users should be treated in the same way.

Poland

Professional drivers should not be treated differently, but they lose more than the others – the income source.

Romania

All drivers should be treated the same. There is the fear that legal loopholes could be created for people who drive for work purposes.

5.4 Special Issue: cyclists

Compliance to rules is important for all modes, not only motor vehicle driver, but also cyclists. Hence, DPS may target cyclists. This chapter explains how cyclists are treated by measures of the DPS.

5.4.1 Properties

The questions concerning cyclists were formulated in order to gain insight how is dealt with bicycle riders in the frame of the DPS in different countries. Information was also gathered regarding convictions of cyclists which lead to points and how the points are assigned to the offender. For detailed information about the questions see the interview guidelines in Annex E.

Cyprus

Cyclists are included in case of alcohol offences according to the law but in practice it happens very rarely.

France

Cyclists do not get points when committing offences.

Germany

Cyclists can also gain points if they own a driving licence. Included are red-light-violations, alcohol offences and endangering others. The points are assigned in the regular way.

Poland

Yes, but it happens very rarely and the bicyclist has to have the driving licence.

Austria, Czech Republic, Denmark, Finland, Great Britain, Greece, Hungary, Ireland, Italy, Latvia, Luxembourg, Malta, Netherlands, Romania, Slovenia, Spain

The DPS does not include cyclists.

5.4.2 Opinions

Experts were asked about their opinion on targeting cyclists by the DPS.

Austria

- 1) For example alcohol offences for bicyclists should be included (e.g. starting a certain blood alcohol level.
- 2) It depends on whether the 13 points remain – or if one at all expands on these. Bicyclists already could be ‘included’ in the system. Perhaps most appropriate would be for drink driving-which sanctions are stipulated: it needs a new point, in order to include in the DPS. Expanding the DPS: after the three existing ones for alcohol, a new one for bicyclists. Would be viewed positively.
- 3) As indicated above, cyclist offences (in particular alcohol, red light running) are a reasonable predictor of compliance to rules just as well as offences as motorised road user.

- 4) This would lead to strong discussions because including this group in the DPS would be seen as overdoing it. If an offence would occur while bicycling, e.g. alcohol, the driver's licence is rarely seized (unless there are health reasons). It is for sure an idea worth considering.
- 5) A cyclist can get his/her driving permission withdrawn, already in today's Austrian legal system, depending on the offence, even though they are not included in the DPS.

Cyprus

Some changes in the law are planned.

Czech Republic

- 1) A cyclist is a driver and is obliged to traffic rules; so when riding in road traffic, the DPS should logically apply to him. Not so in case of riding off road.
- 2) It is hardly technically realizable to include cyclists.
- 3) It is hardly technically realizable to include cyclists. It would be suitable to apply DPS also to cyclists, but problematic with regard to administration and registration. This shall be solved when the problem of motor vehicles drivers will be satisfactorily handled. Nowadays, accident statistics show that problem of causing accidents belongs rather to them than cyclists.
- 4) Cyclists should be not included into DPS.
- 5) Cyclists should be included, whether they have driving licence or not.
- 6) Cyclists represent minor risk in road traffic compared to motor vehicle drivers, there is no point to change the system

Finland

Drivers of motor vehicles are a proper target group for DPS. Including other road user groups in the system would make the system more complicated but bring little additional benefits.

Germany

- 1) There are only very few cases in which cyclists gain points, e.g. when crossing a red light.
- 2) With regard to the purpose of the system, the exclusion of unapt road users, it is right that cyclists gain points.

Great Britain

As cyclists do not require licences it would not be logical to include them in the DPS.

Greece

- 1) Cyclists should be included in the DPS.
- 2) For practical reasons, including cyclists in the DPS is not possible (they don't own a driving licence).
They should be included in the RSC in another way.
- 3) Cyclists should be included in the DPS, especially for wearing helmet.
- 4) Cyclists do not have to be included in the DPS. However, they have to be trained and informed to respect the traffic law.

Hungary

Cyclists ARE punished, but should not be included in the DPS.

Italy

- 1) A bill was proposed a few years ago concerning the deduction of the points on the driving licence also for cyclists committing an offence but eventually it wasn't approved.

- 2) I totally agree with the decision taken by the Government. It would have been unfair and against the principle of equality to treat cyclists owning a driving licence in a tougher way than those without a driving licence.

Ireland

Cyclists should be included in the DPS, but it is not possible because they don't require driving licences. They can commit offences which can result in Road Traffic Collisions. Collision data shows number of cyclists involved in Road Collisions. ETSC report shows figures on high level of cyclist fatalities

Latvia

- 1) At the moment it is impossible to include cyclists in the DPS. Even though cyclists are obliged to have a bicycle driving licence, it is not registered in the common drivers' licence register. Therefore it is not possible to assign demerit points to cyclists and control the enforcements.
- 2) It would be useful to include bicyclists in the DPS, but it is very difficult to accomplish that and might happen only in the far future.
- 3) It is not important to include cyclists in the DPS because they do not pose the accident risk to the other road users (only themselves) as much as the motorized vehicle drivers.

Luxembourg

This option to include cyclists was not taken into consideration when the system was implemented.

Malta

- 1) The system should focus primarily on road safety related offences, making a distinction between those offences that are administrative, and those that have an impact on road safety, be it of the driver or rider himself, or other road users.
- 2) Currently the system does not cater for Cyclist. They are only fined for contraventions like passing on red light. Cyclist should be included in DPS especially those who possess Driving Licences. They can cause serious accident as well.
- 3) Cyclists should be included in the DPS, but only cyclists who have a driving licence. On the other hand the cyclists have to obey traffic regulations and they are fined accordingly.

Poland

Cyclists should be included in the DPS; after all they take part in the road traffic, so they must behave appropriately.

5.5 Special Issue: pedestrians

Compliance to rules is important for all modes, not only motor vehicle driver, but also pedestrians. Hence, DPS may target them, even though they pose less risk to others by violating the rules. This section explains how pedestrians are treated by measures of the DPS.

5.5.1 Properties

Information was gathered concerning the issue if pedestrians are targeted by the DPS and if so, how.

France

Pedestrians do not get points when committing offences.

Germany

Pedestrians can also gain points if they own a driving licence. Included are only dangerous infringements into traffic safety.

Austria, Cyprus, Czech Republic, Denmark, Finland, Great Britain, Greece, Hungary, Ireland, Italy, Latvia, Luxembourg, Malta, Netherlands, Poland, Romania

The DPS does not include pedestrians.

5.5.2 Opinions

Experts were asked about their opinion on targeting pedestrians by the DPS.

Austria

- 1) This would be too much. According to the Austrian road code (Straßenverkehrsordnung, StVO) there are max. 1-2 paragraphs for pedestrians. The behaviour of the pedestrian is no big problem in the practice of road safety. Therefore it does not need to be included in the DPS. It would be difficult to implement in practice and for road safety not a top priority.
- 2) As indicated above, pedestrian offences (in particular alcohol, red light running) are a reasonable predictor of compliance to rules just as well as offences as motorised road user. There is absolutely no argument, why misbehaving pedestrian should be allowed to put other road users at risk, even if the other road users walk out innocent. Imagine a drunken pedestrian running in front of a truck. The driver will not receive punishment, but he will dream about the event for the rest of his life. Hence, also pedestrians have responsibility and this should be included, in particular, if they also hold a licence.
- 3) Every person actively involved in an accident must take a breathalyzer test: the public authority must always pay for this. However is not forbidden to walk drunk. Also on the way to a taxi, where potentially an accident could occur. Walking drunk must be allowed! Therefore: NO, pedestrians should not be included!
- 4) In Austria the last 5 years are considered. A severe offence has consequences on the receipt of a driving permission. (There is a regulation that is tougher than the Austrian DPS). If the pedestrian has no driving licence and he/she does want to acquire one, a committed offence as a pedestrian could cause difficulties.

Cyprus

The system is for drivers, pedestrians should not be included.

Czech Republic

- 1) Pedestrians should not be included, too difficult to define the right conditions.
- 2) Pedestrians should not be included, this group logically does not belong to DPS.
- 3) Pedestrians should also be included. Those who have no driving licence would be registered, if committing offences and their records can be possibly taken into account when they apply for driving licences.

Finland

Drivers of motor vehicles are a proper target group for DPS. Including other road user groups in the system would make the system more complicated but bring little additional benefits.

Germany

- 1) The possibility to gain points is very restricted. There are only very few offences, very heavy ones with harm consequences. There has to be concrete endangerment of others analogue to the criminal law. As holder of a driving licence one knows about the risk of offences and as the

purpose of the point system is to exclude unapt drivers, already the offences of pedestrians lead to conclusions concerning the aptitude of a road user.

- 2) Concerning the aspect of endangerment, it is a little bit exaggerated to give points to pedestrians.
- 3) Even as pedestrian it is possible to endanger others. From the behaviour as pedestrians it is also possible to draw conclusions regarding the driving aptitude.
- 4) It is a consequent measure to give points to pedestrians. The DPS concerns all road users.

Great Britain

- 1) As pedestrians do not require licences it would not be logical to include them in the DPS.
- 2) I'm not sure you could easily do so or what would the point be.

Greece

- 1) Pedestrians should be included.
- 2) For practical reasons including pedestrians in the DPS is not possible (they don't own a driving licence). They should be included in the RSC in another way.
- 3) It could be extended also to the pedestrians. The problem is the way of implementation. We could think of cameras as they do in New Zealand and Australia.
- 4) It is not easy applicable to include pedestrians in the DPS.

Hungary

Pedestrians should not be included.

Ireland

Pedestrians should be included in the DPS, but it is not possible because they don't require driving licences. Pedestrians can commit offences which can result in Road Traffic Collisions. Road Collision stats show pedestrians killed and injured in Road collisions.

Latvia

Pedestrians cannot be included; it is impossible to assign demerit points.

The main aim of the DPS in Latvia is to separate the malicious and regular violators for those who are driving according to the road traffic rules and pedestrians cannot be included in this system.

Luxembourg

This option to include pedestrians was not taken into consideration when the system was implemented

Malta

- 1) Pedestrians should be included.
- 2) Pedestrians should be included, especially those who cross on red light. Who already posses a driving licence should be awarded the points. Persons that do not have driving licence should be kept on a register for when they apply. Pedestrians could put the road users at risk of causing an accident.
- 3) Pedestrians should not be included in the DPS. On the other hand the pedestrians have to obey traffic regulations and they are fined accordingly.

Poland

It is not necessary to include pedestrians. They receive radically less tickets than drivers.

5.6 Special Issue: others

In this section it is described if there any other groups of road users receive particular attention by a DPS.

5.6.1 Properties

Spain

Drivers who do not lose any points in the first 3 years of licensing get extra bonus points (total of 15 points). Drivers who have previously lost their licence (due to a maximum number of points) start with a credit of only 8 points.

Austria, Cyprus, Czech Republic, Denmark, Finland, France, Germany, Great Britain, Greece, Hungary, Ireland, Italy, Latvia, Luxembourg, Malta, Netherlands, Poland, Romania

There are no other groups which are treated differently.

5.6.2 Opinions

This sub-chapter displays expert opinions about treating any other groups of road users by the DPS.

Austria

- 1) Same right for all!
- 2) It is a political decision: now for the first time there are no consequences – only by the second time. An extension of the time period would be necessary because we have some repeat offenders. The longer the surveillance period the better: today the time period between the 1st and 2nd offence is a bit too short. The fine is barred after five years, the points end already with two years.
- 3) A DPS is by nature addressing recidivists, hence, no particular issue to consider.

Cyprus

It is a good solution to pay particular attention to drivers who get a licence suspension within 5 years after their last licence suspension.

Czech Republic

- 1) Data about DPS show that drivers that once reached 12 points tend to relapse. Therefore it would be suitable to work with them already during the time when their licence is withdrawn. The condition for restoration of the licence then would be (except passing the test) psychological test and passing the course aimed to change of attitudes.
- 2) Drivers who once reached the limit of 12 points and lost their licence tend to repeat wrong behaviour, so it would be suitable to work with them immediately after reaching 12 points for the first time.
- 3) Special attention should be devoted to re-education of recidivists.
- 4) Different treatment should be applied when restoring licence to persons that reached 12 points for serious offences (alcohol) or less dangerous offences.
- 5) There is considerable problem with group of gypsy drivers in everyday practice; many of them drive without licence and there is no way how to discipline them.
- 6) Existing arrangements should not be changed.

Finland

- 1) There is no real need for specific target groups. It is important to keep the system simple and easy to understand.
- 2) There is no need for other special groups.
- 3) Aggravated endangering of traffic safety (e.g. dangerous overtaking) and gross negligence of speed limits should have much weight in DPS, because they are known to increase accident risk substantially and endanger also other road users. In cases where one particular offence is enough to cause licence withdrawal the other points in the driver's DPS account should remain unchanged.
- 4) No specific need for specific target groups. The more important issue is the number of points per offence.

Germany

- 1) Probably, older drivers should be treated in a special way. They sometimes lean to not-perceiving their lacking capabilities. Regular checks of the ability to see and the reaction would make sense. In case of offences, driving tests would make sense.
- 2) There are no other groups which should be treated in a special way within the frame of the DPS. There is a variety of other prevention measures which function on a different level, e.g. regular medical checks or the definition of requirements for special groups of drivers.

Greece

- 1) The points should be horizontal for all the users-offenders.
- 2) The only group in which special attention should be paid upon is the elderly. By using more severe points and incentives for giving up driving.
- 3) The only group in which special attention should be paid upon is the motorcycle users. They are very prone to having accidents.
- 4) Two wheelers should be treated differently after conducting specific research on the way they should be treated.
- 5) For agriculture vehicles and industrial machines, the driving licences are issued not by the Ministry of Transport. Therefore, difficult to register the penalty points
- 6) The DPS should not pay different attention to other user groups.

Hungary

No other groups should be included.

Ireland

I agree with the idea of the Diversion Programme for young people as most people who go on diversion programme don't re offend. Evidence is Garda diversion program.

Italy

No other groups should be included. Danger on the roads is mainly caused by drivers driving vehicles that require a driving licence (*Roberto Sgalla, Ministry of Interior*).

Latvia

It is not necessary to divide drivers into smaller groups.

Malta

If they are recidivists the court already imposes hefty fines. When the offender repeat same offences, the licences should be suspend for a determined period. If it is a novice driver, he has to re-do the test.

5.7 Summary and overview

In most of the countries, the DPS refers to licence holders only (see table 6) and it does not include pedestrians and cyclists. The experts differ widely in their opinion, some say that persons without a licence should be not included because drivers are main violators; others say that people who do not hold a driver's licence should be included in the DPS because of the high number of illegal drivers or offences like crossing the street during red light.

Many countries treat novice drivers differently, e.g. in the Netherlands even, the DPS applies to novice drivers only. Overall, the group is treated more severely. Most experts agree to a differentiated approach to novice drivers, e.g., because accident statistics show that young drivers tend more to certain types of accidents.

Professional drivers are treated differently in some countries, as well. The withdrawal period can be shorter, but the amount of points which leads to a withdrawal can also be smaller.

Experts have different opinions; on the one hand it may be reasonable to take into account the effects on the life of offenders when deciding the length of driving licence withdrawal. On the other hand, professional drivers should not been given advantages.

Table 6: Countries where DPS targets licence holders vs. licence is not required

Licence holders only	Licence not required	No information
Austria, Finland, France, Germany (non-holders get registered but no points), Greece, Hungary, Italy, Latvia, Luxembourg, Malta (only novice drivers), Netherlands (only novice drivers), Poland, Romania, Spain	Czech Republic, Denmark, Great Britain, Ireland	Bulgaria, Cyprus, Slovenia
14	4	3

6 Offence-related issues

In this chapter, offence related issues are presented and discussed. Special Issues refer to the criteria for assigning an amount of points to specific offenses (“pointing”), the list of offenses including the amount of offenses, the lifetime of points and the pointing in case of multiple offenses in coincidence with each other.

6.1 Special Issue: Criteria for “pointing”

The amount of points given for an offence may be a political and social statement which reflects the intention followed by a DPS. Pointing may send a message for how “bad” certain behaviour is considered by society. The following section displays the criteria for “pointing” offenses.

6.1.1 Properties

This chapter sums up the criteria for the number of points to be gained or lost by a certain offence in different countries, e.g. severity of the offence, risk imposed by offending, danger for others or oneself, etc.. It also gives information if the amount of points for an offence is fixed or flexible. Experts were also asked about the amount of offenses that lead to points in their country.

Austria

The Austrian DPS is not a classic DPS. Every offence stated by law leads to a (one) registration. After the second registration within two years, special measures are imposed and the monitoring period is extended to three years. If another offence is committed within the remaining period of the three years’ timeframe, counted from the day of the first offence on, the licence will be withdrawn for at least three months. The number of points given for an offence is always the same and this is fixed by law, that means there are no differences made between different sorts of offences: one point for every type of offence. 13 offences with one point each are included.

Cyprus

The more dangerous the offence is the higher is the number of points. There are different numbers of points for different offences. The limits of points are fixed by law, for example: speeding 2 to 6 points (25% over speed limit – 2-5 points, 50% over speed limit 3-6 points).

Czech Republic

The number of points for specific offences is fixed by law. The amounts of points are subject of political decisions; the dangerousness of violations for road traffic is especially taken into account (influence on accident numbers and accident severity) and experience from abroad.

Denmark

The system in Denmark is not defined by points, but by so called “clip”. As it is called point in all other countries we will name it “points” in the following as well. You receive only one “point” for each of the offences included in the DPS. Only serious offences are included. It is fixed by law that each offence releases 1 point. The reason for this was a wish to keep the system simple in order to provide the best preventive effect, as road users and authorities then most likely will be able to predict the consequences of offences.

Finland

The current system is based on the number of offences regardless the type of offence. Repeated offences for which sanction is day-fines (penalty based on personal income) and all speeding offences (including administrative fees) are counted equally. The offence types are fixed by law.

France

As criteria to decide how many points are linked to an offence are the seriousness of the offending behaviour and its possible consequences. Minor offences result in 1-2 points; heavy offences result in 3-6 points and criminal offences result in 6 points.

The number of points is always the same for an offence and is fixed by law.

Germany

As criteria to decide how many points are linked to an offence are the relevance/seriousness of the offending behaviour and its possible consequences. Minor offences (above a fine of 40,-€) result in 1-4 points. Criminal offences result in 5-7 points. The Schedule of Fines (BKat - Bußgeldkatalog) and the Attachment 13 of the FeV indicate in how many points an offence results. However, the competent authority decides how many points are assigned to an individual offence. Normally, the authority assigns the amount of points which is fixed in the attachment.

Great Britain

The criteria are unknown. The range of points that can be assigned is determined by Parliament. The number of points for each offence varies between 3 and 11. Some are fixed, in others a range is allowed to courts.

Greece

There are different numbers of points for different offences. The number is fixed by law.

Hungary

Traffic crimes result in 9 points, and other offences in 1 - 5 points. It is difficult to say what the main criterion is.

Ireland

Cases that are dealt with at administrative level carry lower points (2) such as speeding. This increases to 4 points if the case has to go to court. Driving without insurance is a mandatory court appearance and it carries higher points (5) and a court fine. The number of points is fixed.

Italy

The main criterion to establish how many points are linked to an offence is the severity of the committed offence. For this reason only violations related to the existing behavioural norms are considered. The number of points assigned is fixed and foreseen by law (art. 126-bis of the Highway Code)

Each traffic violation incurs to a specific point penalty (for example, ignoring a traffic light involves a penalty of 6 points). If the driver loses all points, the driving licence is suspended.

Latvia

The main criteria to decide how many points are linked to an offence are the severity of the offence (speeding and driving under influence of alcohol or drugs are considered the most dangerous offences which pose the highest risk to the drivers themselves and other road users) and offence statistics (the most common offences were included, even if they do not pose a major risk to other road users, e.g. use of seat belts). Points vary from 1 to 8, depending on the severity of the offence. The amount of points assigned to each offence is fixed by law.

Luxembourg

There are different numbers of points for different offences. The criterion to decide about how many points are linked to an offence is the severity of offences. The number of points is fixed by law.

Malta

The amount of assigned points is left in the hands of the Magistrate / Commissioner of Justice. If the offence is not contested/appealed against, the minimum amount of points are allotted. This is established by the Law.

Netherlands

There is 1 point per offence. The number of points does not depend on type of offence and is fixed.

Poland

All convictions are included. Violating the road traffic act is the criterion. There is an official catalogue (fixed by law) of the offences with dedicated number of points from 1 to 10.

Romania

There are different numbers of points according to seriousness of offence. The number of points is fixed by law: Government decree 195/2002. The offences included are listed in art. 108.

Spain

The DPS is inspired by the French system. 27 administrative offenses that lead to a loss of points are included in the catalogue. The number of points is determined by the Legislative Decree 339/1990 Annex II-Law 17/2005 of July 19.

6.1.2 Opinions

Experts were asked about their opinion about the criteria for pointing.

Austria

- 1) The current solution for these criteria work. According to the severity of the offences, the appropriate measure given works. A multi-step system is adequate. The district authority clerks find parts of the system too complicated and 'always harder to manage'.
- 2) Criteria are not simple and clear. As a psychologist: best regulations are simple and clear regulations – without if/then. If something is to be enforced in the system, regulations should be created which are simple and clear – so that they can be most effective. Malperformance does not automatically cause an accident. The system is able to compensate a lot. Safety is important for us – so a speed limit is introduced – but the system has the problem that it is left to the individual, what is being penalised and what is not. If you want to achieve an effect on safety, you have to enforce clear rules: Rules should not be made deterministically – but in a probabilistic sense! Nilson "Power Model"/"Potenzmodell" – Accidents correlate with average speed, so for example the number of points should be correlated with the level of speeding.
- 3) The time period should be extended. There are few withdrawals because of three offences. The explanation for this: measures = good or the time period is too short. When you want to intensify something, then the time period must be extended to five years. This would match the big effort used in the DPS.
- 4) The Austrian system was political compromise and turned to be a classical "continuous provisional solution". However, I do not appreciate the uniform consideration of different offences without reasonable respect to severity. DPS should be designed value offences directly proportionate to the safety impact. Safety impacts of offences can be taken from various sources, the best overview is provided in "The Handbook of Road Safety Measures" (Elvik & Vaa, 2004).

- 5) In principle there should be only one DPS catalogue (except for dangerous goods related offences). The legal basis for the DPS (10 years younger than the Austrian driver improvement system) is the stigmatisation of various dangerous offences: the DPS should have an educational impact. Excessive speed offences starting 30 Km/h over the limit should at least be included in the DPS. The points are only issued following a punishment which does not always take place (see scenarios hereunder). Scenarios of accidents with DPS-relevant causal factors:
 - a) accident with material damage and agreement of accident parties.
 - b) accident with severe injury >> court case, which is regularly “punished” with Diversion [Diversion = no punishment, but social service, etc.] >> no fine >> no entry into the DPS! Hence, the system is not “airtight”, there are many loopholes. The law maker seems to have forgotten that our clients compare their cases and their outcomes in the local pub.
- 6) The criteria of the catalogue are a result of a very special policy. First criterion was the political practicability, even though the police had wanted a longer catalogue (e.g. speeding at an earlier stage than the normal level for withdrawal of the permission, non- use of helmets, etc.).

Cyprus

The criterion “The more dangerous the offence is the higher is the number of points” shows what is considered to be most dangerous offence.

Czech Republic

- 1) Amount of points for specific offences was originally determined slightly unsystematically, more political decisions (considering supposed will of voters). Current revision is more based on reality of road traffic.
- 2) The amounts of points not always correspond with seriousness of offences; it would be suitable to proceed from accident causes.
- 3) I suggest to use 7, 5, 3 points; make the list of offences very simple and short, give points only for really serious offences.
- 4) Main criterion should be the dangerousness of the violation. Alcohol and speed are the most important. The rating for speeding by 10 km/h over the limit in urban areas is not strict enough.
- 5) The decision should be based on dangerousness of the offences, but the system should be flexible, new safety problems are arising. Those who passed the period of driving ban a still administratively have not asked for licence restoration should obtain less strict rating.

Denmark

It is a good idea to keep the system simple. It is a general impression that the drivers know the system to a certain degree, but not in details.

Finland

- 1) Criteria should be based on increased risk of accidents and especially severe accidents.
- 2) So far the Finnish system has worked quite well even without different number of point for different offences. In future differentiation is worth considering because new minor offences are added to offences that can lead to withdrawal of driving licence (when accumulated).
- 3) In future petty-fines and day fines could have different weight. The effect on accident risk is the main criterion.
- 4) The DPS should include different number of points per offence. The focus should be on intentionally serious recklessness and endangering of others’ life. In addition to the risk perspective, proper driver behaviour could be emphasised.

- 5) The current Finnish system has worked quite well even without different number of point for different offences. In future differentiation is worth considering because introduction of minor offences into the system could reduce minor offences (e.g. minor speeding offences), that have negative effect on safety. Which offences are included and which are left out is a political decision (of the parliament), and it could be difficult to ensure that the decisions are made on the basis of the effects of different offences on road safety (or any other predefined criteria).

Germany

- 1) The criterion should be road safety or rather the dangerousness of the behaviour. For criminal offences someone gains more points although some of these offences are not dangerous, e.g. driving without licence or hit and run offences. Civil law issues are claimed here. Beyond the evaluation of criminal offences, the dangerousness of the behaviour should be the base. It would make sense to judge according to accident risk. The objective of the DPS is the identification of risky drivers; hence I have to look after the dangerousness. Otherwise prevention and sanction are mixed up. But sanctions are already executed on the base of criminal law. One should only include accident-causing offences in the catalogue. Today the criterion is the relevance of the behaviour, independent from the risk. The pointing of offences with fines higher than 40 Euro serves surely deterrence. Probably, also political reputation.
- 2) The evaluation of the offence is made on the basis of the categorization system of the aptitude to drive.

Great Britain

I think the criteria are broadly correct.

Greece

- 1) The criteria are probably random, only by using the experience from the already implemented DPS of the abroad.
- 2) I do not know the exact criteria, but most probably they are based upon the international experience and the Greek experience, as well as, to the level of hazard. The points for the mobile phone should be increased.
- 3) Level of risk – dangerous action. I believe that the level of risk in the system is wrong, e.g.: danger to others due to use of mobile phone or to use of helmet.
- 4) Possibly, the most dangerous offences get the most points.

Hungary

The catalogue is quite good but not strict enough. KTI has elaborated several concrete suggestions, specifically on the number of points in relation with the danger involved in different kinds of offences.

Currently there is one big problem: in some cases, e.g. seatbelt, child restraint or use of mobile phones individuals are subject to high fines (on the spot) but the related points are often not issued - although these offences are included in the catalogue

Ireland

I agree to the criteria. From administration point of view keeps minor cases out of court and allow court time for more serious cases. No evidence for your opinion. No facts about safety effects.

Italy

The common existing rules on road behaviour and safety are taken into account. As a consequence all the existing traffic offences are subject to an administrative sanction and a reduction of points going from 1 to 10 points for the most severe offences.

Latvia

A lot of time was spent to discuss which offences have to be included in the DPS and how many points should be assigned to each of them. German DPS was considered as a good guidance when deciding about how many points should be linked to an offence as well. Now drivers can get the clear information which offences are more serious from road safety perspective.

Luxembourg

These criteria are road-safety oriented. Decrease in road accident statistics is partially due to DPS.

Malta

- 1) The criteria of adjudicating points should be left in the hands of the Court / Commissioner of Justice. But a minimum stipulated by the law shall be imposed. So the Court can adjudicate more points vis-a-vis the severity of the offence.
- 2) A minimum has to be stipulated by the law. Then for each offence there should be a maximum depends on the severity of the offence. This preferably should be left in the hands of the Judiciary.
- 3) The criteria of adjudicating points should be left in the hands of the Court / Commissioner of Justice. But a minimum stipulated by the law shall be imposed. Severity is precedent on frequency. Age should not be considered.

Poland

These are good criteria; they show what is considered as the most dangerous behaviour. As an example: the majority of accidents in Poland are caused by speeding, the most endangered group is a group of pedestrians and violations in these areas are punished very severely.

6.2 Special Issue: List of offences according to accident risk and amount of offences included in the catalogue

A list of offences according to accident risk may be based on scientific evidence. This section describes which offences are included in the points' catalogue and if the criteria to include are based on accident risk or other criteria besides road safety. The original idea of DPS has never been the optimization of the amount of offences, but to include the main offences that are considered to be dangerous and that can be detected and enforced. That may well be a list of over 50 violations. However, very likely, 95% of points are assigned for a limited number of offences (speeding, tailgating, alcohol, seat belt, red light negation, ignoring a traffic sign, failing to give way). In addition, offences may have different types of seriousness which leads to different classes of offenses. The amount of offenses included in the catalogue depends on how much in detail the catalogue is elaborated, e.g. speeding may be one offence, but in other cases speeding can be itemized to more offences. The question about the optimal amount of offenses therefore concerns the ensurance of practicability and transparency.

6.2.1 Properties

This sub-chapter describes which offenses lead to points and specifies the amount of points per offence in the different European countries. If available, lists of all offenses in one country are presented.

Austria

The following offences are included in the Austrian DPS:

- Endangering of pedestrians at crossings.

- Non-observance of the “STOP” sign and thereby interference and endangering of other road users.
- Non-observance of red light and thereby interference and endangering of other road users.
- Non-observance of warning lights and gates at railroad crossings.
- Driving at the emergency lane (hard shoulder) and thereby interference of emergency service vehicles.
- Infringement of the regulation (Verordnung) concerning the transportation of dangerous goods while driving in motorway tunnels as well as the non-observance of the driving ban for motor vehicles carrying dangerous goods in tunnels.
- Initial start-up of a vehicle with obvious technical deficiencies or unsecured load. The driver of a motor vehicle and/or a trailer has to assure himself, that the motor vehicle does not show any technical deficiencies and that the carriage complies with the concerned regulations before starting to drive.
- Driving under the influence of alcohol (0.1‰ – 0.49 ‰) - valid for drivers of heavy goods vehicles > 7.5 t (Category C) and for bus drivers (Category D).
- Driving under the influence of alcohol (0.5‰ – 0.79‰) - valid for all drivers.
- Non-use of child restraint systems. Children under the age of 14 years and/or smaller than 150 cm have to be secured by using an adequate child restraint system.
- Insufficient safe following distance - 0.2 to 0.4 seconds

Bulgaria

The licence is withdrawn when reaching 39 or 27 (novice drivers) points.

- SPEEDING
 - 2 pt. - 20 to 30 km/h
 - 6 pt. - 30 to 40 km/h
 - 12 pt. - 40 to 50 km/h
 - 16 pt. - Over 50 km/h
- No use of SEATBELT or HELMET (10 pt.)
- Incorrect crossing of a FOOT PATH (10 pt.)
- Disrespecting of TRAFFIC LIGHTS signals (passing “at red”) (10 pt.)
- Driving for the second time for period of 12 months with BAC from 0,5 to 1,2/1000 (13 pt.)
- Refusing an alcohol test (12 pt.)
- Driving with BAC from 0,5 to 1,2/1000(10 pt.)
- No stopping at “STOP” road sign (7 pt.)
- Talking on CELL PHONE during driving without using a “hands free” device (6 pt.)
- Driving without carrying the permit or when it's taken away by the police (6 pt.)
- Incorrect passing by a PUBLIC TRANSPORT STOP (6 pt.)
- Driving with worn out or torn TYRES (6 pt.)
- Disrespecting the rules for RIGHT OF WAY, DRIVING PAST EACH OTHER, OVERTAKING and DRIVING AROUND SOMEBODY (6 pt.)

- Not granting right of way to a vehicle which emits SPECIAL SOUND OR LIGHT SIGNAL (6 pt.)
- Not marking a forcedly STOPPED vehicle (6 pt.)
- Driving a TECHNICALLY FAULTY vehicle (5 pt.)
- SCATTERING and LEAVING over the road of objects or substances which could endanger the traffic (5 pt.)
- Driving an ADMINISTRATIVELY SUSPENDED vehicle (5 pt.)
- Incorrect utilization of the vehicle's LIGHTS in cases of stay, parking or use of the traffic lanes (5 pt.)
- Disrespecting of ROAD SIGNS, MARKING AND OTHER MEANS OF SIGNALLING incorrect use of a lane dedicated to RAIL vehicles (4 pt.)
- Disrespecting the prohibition of not to drive in the opposite direction on one way road (4 pt.)
- Incorrect overtaking causing danger for the circulation (4 pt.)
- STAY or PARKING as a second row in the active traffic lane, next to stopped vehicles (4 pt.)
- Incorrect haulage of PEOPLE or CARGO (3 pt.)
- Incorrect STAY or PARKING in the area of a FOOT PATH, BUS STOP or CROSSROADS (3 pt.)
- INCORRECT vehicle LAYOUT on the traffic lane (3 pt.)
- When GUILTY for causing of a TRAFFIC ACCIDENT (3 pt.)
- For causing guiltily an accident additional 4 points would be deprived!

Cyprus

The licence is withdrawn when reaching 12 points. The following violations are included:

- Speeding by 50 % above or below the limit – min. 3 points, max. 6 points
- Reckless or dangerous driving - min. 3 points, max. 6 points
- Negligent driving - min. 2 points, max. 4 points
- Driving under the influence of alcohol - min. 3 points, max. 6 points
- Violating traffic signals - min. 2 points, max. 4 points
- Causing death by rash, reckless or dangerous act - min. 5 points, max. 10 points
- Hit and run - min. 5 points, max. 10 points
- Violations in relation to silencers and exhaust tube/s
- Non-use of safety helmet outside built-up area - min. 2 points, max. 4 points
- Non-use of safety helmet outside built-up area - min. 1 points, max. 2 points
- Non-use of seat belt in non built-up area - min. 2 points, max. 4 points
- Holding and using a telephone while driving - min. 2 points, max. 4 points
- Driving over (violation of) a continuous white centre line - min. 2 points, max. 4 points
- Speeding by 25% above or below the limit – min. 2 points, max. 4 points

Criteria for inclusion: seriousness of the offence.

Czech Republic

The licence is withdrawn when reaching 12 points. Currently 42 offences are included; in revised rule from 1.8.2011, it should be 27 offences and criminal acts. The point system until August 2011 included some offences that are not directly related to the occurrence of accidents; the revised list of offences is more aimed at road safety and health of road users. All dangerous offences are included in DPS according to the new revision (since 1.8.2011).

Table 7: List of Czech point offenses

Offence	Points until August 2011	Points after revision of law 133/2011 Sb. (from August 2011)
Driving vehicle while unfit through alcohol or drug use	7	7
Driving vehicle when unfit through drug use	7	
Driving vehicle immediately after alcohol or drug use or in such time after alcohol or drug use, when the driver is still under the influence – BAC more than 0.3 or drug	6	
Refusing breath test, or a medical examination to note if a driver is not under influence of alcohol in case the breath test was positive, or examination to note whether a driver is not under the influence of drug	7	7
Driving a vehicle without relevant driving licence category	7	4
Causing a road traffic accident with fatality or serious injury by breaking duties of a driver	7	7
Not stopping a vehicle or not reporting an accident to the Police or not returning to the spot of the accident after calling the first aid or after reporting the accidents if during the accident a person was killed, injured or a material damage was over 100 000 CZK	7	7
Not stopping a vehicle or not reporting an accident to the Police or not returning to the spot of the accident after calling the first aid or after reporting the accidents without injury, with material damage less than 100 000 CZK	3	
Not providing effective aid (first aid and calling emergency body) by road user that is not involved in the accident in case of accident with obvious injury or life danger	NO	7
Driving a vehicle when a driver's licence has been withdrawn	6	7
Overtaking when prohibited	6	7
Crossing a railway crossing when prohibited	6	7
U turn on motorways or reversing when prohibited	6	7
Driving a vehicle in bad technical condition which can seriously endanger other road users	5	5
Driving a vehicle without valid certificate of professional competence	5	3

Driving a vehicle without valid medical certificate	5	NO
Driving 40 km/h over speed limit in urban area or 50 km/h over speed limit outside urban area	5	5
Not stopping a vehicle on stop signal or on stop signal given by a person which is appointed to stop vehicles	5	5
Driving a vehicle that has a different number plate from the one that was officially assigned to the vehicle	4	NO
Not giving a way to a pedestrian on pedestrian crossing	4	4
Endangering a pedestrian when making a turn	4	
Endangering a pedestrian when turning to a place outside a road, when entering to a road or when making a U turn or reversing	4	5
Not give a way when prescribed	4	4
Driving a vehicle which is not registered if the registration of a vehicle is prescribed	4	NO
Driving longer than prescribed or not making prescribed stops when driving	4	4
Driving immediately when impaired by alcohol when the BAC is lower or equivalent to 0,3 pro mille	3	NO
Holding a telephone or other voice or recording device when driving	3	2
Driving 20 km/h and more over speed limit in urban area or driving 30 km/h and more outside urban areas	3	3
Failing to stop in front of a pedestrian crossing when prescribed	3	3
Endangering other drivers when changing lanes	3	5
Exceeding permitted weight of a vehicle	3	3
Driving 20 km/h and less over speed limit in built up areas or driving 30 km/h and less outside urban areas	2	NO
Driving 5 km/h or more over limit in urban areas lot less than 20 km/h over limit outside urban areas	NO	2
Driving a vehicle during days when prohibited	2	NO
Driving on tram path where prohibited	2	NO
Not wearing a seat belt or a helmet	2	3
Not using child restraint system when transporting a child	2	4
Not marking the obstacle on the road caused by the driver	2	2
Driving a vehicle on motorway if construction or technical state of the vehicle do not allow the vehicle to go at least 80 km/h	1	NO
Unauthorized use of reserved traffic lane	1	NO
Breaking regulations on lighting of a vehicle	1	NO
Not following a prohibitory sign or sign with blue circle (except exceeding speed limit signposted or not following No Overtaking sign and prohibitory	1	NO

sign Not Stopping and No Waiting)		
Use the blue light if unauthorized	1	NO
Use the orange light if unauthorized	1	NO

Denmark

17 violations are included. Generally agreement that the list of convictions should not be too long and should be limited to the most dangerous behaviours – except drink-driving, for which specific measures were settled at the same time as the DPS were introduced. A violation of the following rules each causes a point:

- Exceeding the speed limit by more than 30 %
- Running a red light
- Wrong way driving
- Exceeding “unbroken lines” when driving at the middle of the road
- Exceeding “unbroken lines” when driving illegally in an emergency lane
- Neglecting to comply with the rules of driving across railway tracks
- Driving with too short a distance to the vehicle in front of you
- Passing a traffic island on its left side
- Changing driving direction, position etc., putting others at risk
- Ignoring the rules of overtaking
- Ignoring a ban on overtaking (and bans defined by traffic signs and other displays)
- Increasing speed when being overtaken
- Ignoring the rules of lane changing
- Overtaking at a pedestrian crossing
- Ignoring duty to give way to approaching traffic, or duty to give way to approaching traffic as defined by traffic signs and other displays.
- Racing
- Lack of use of safety equipment for passengers below 15 years of age

The criterion for inclusion is dangerous behaviour in traffic. Not all offences that endanger are included in the Danish penalty point system though. Examples of offences that endanger but are not included in the Danish penalty point system are:

- Driving under the influence of alcohol and drugs is not included - see question above
- In some way: Use of seat belt, as it is dangerous for the other people in a car if one person does not fasten his seatbelt – and an accident happens

No other criteria besides road safety, but endangering others inside the car could be a criterion.

Finland

There is no specific DPS system yet. For offences a sanction is day fines (penalty based on personal income) and for speeding violations a sanction is petty fine (administrative fee, flat rate). Offences for which sanction is day-fines are counted. Offences for which the penalty is petty-fine are counted only if they concern speeding or use of mobile phone while driving.

France

A list of more than 115 offences leads to points. The licence is withdrawn when 12 points are lost. It depends also on how much in detail the catalogue is elaborated – for example, in some cases, speeding is one offence, in other cases speeding can be itemized to ten offences

Number of points for the more common offences:

- Alcohol rate > or equal to 0,25mg/l (or + 0,5 g % blood) and drugs detected in blood lead to 6 points deducted from the driving licence
- Exceed Speed >or= 50km/h: 6 points deducted, 40km/h<= Exceed Speed <50: 4 points deducted, 30km/h<= Exceed Speed <40km/h: 3points deducted, 20km/h<= Exceed Speed <30km/h: 2 points deducted, 20km/h< Exceed Speed: one point deducted.
- 6 points for trying to escape, unlicensed driving, involuntary homicide, plate's fraud.
- 4 points deducted: Forbidden sense driving, Forbidden sense driving, red light running, stop sign running, night driving without light.
- 3 points: Non use of seatbelt, no safety distance, dangerous overtaken, forbidden sense driving, no use of lights when change of direction, Continuous line crossing.
- 2 points: Telephone at hand.
- Use of a speed camera detector. It should be 3 points pretty soon.

Germany

The licence is withdrawn when reaching 18 points.

The Schedule of Fines lists 2.330 offences. 1.296 thereof result in fines above 40€ and thus lead to points. Included are also offences that do not pose a risk, e.g. driving in the environmental area without a sticker.

The full catalogue is available at: http://bundesrecht.juris.de/bkatv_2002/anlage_8.html

Some examples for misdemeanours:

- Speeding 1-4 points; too small distance to the vehicle ahead 1-4 points; right of way offence 3 points, tie-down offences 4 points, driving with a BAC above 0.5 ‰ but below 1.1 ‰ 4 points
- Criminal offences (all):
- 7 points: hit and run offence, endangering road traffic, driving under the influence of alcohol or drugs although not being able to due to the consumption, drunken stupor in traffic
- 6 points: driving while suspended, misuse of number plate, use of uninsured motor vehicle or trailer
- 5 points: all other criminal offences

Great Britain

The licence is withdrawn when reaching 12 points. 102 defined offences which lead to 3 to 11 points are included and can be found online:

http://www.direct.gov.uk/en/Motoring/DriverLicensing/EndorsementsAndDisqualifications/DG_10022425

These tend to be lower level offences; highest risk offence would generally merit disqualification. Other criteria for inclusion of an offence besides road safety are not known.

Greece

The licence is withdrawn when reaching 25 points. 23 defined offences which lead to 3, 5, 7 or 9 points are included.

Offences that are included in the DPS include:

- Violation of traffic police signals
- Violation of the traffic signs
- Violation of marking
- Violation of red traffic light
- Irregular behaviour of the driver to road users
- Seat belt use
- Helmet use
- Mobile, TV use
- Moving contrary to traffic
- Irregular behaviour while over passing
- Speed measurements

Not only offences are included that pose a high risk. For example:

- Movement of heavy vehicles in the third lane in highway.
- Diffuse into the pavement material that may cause danger.
- Driving in the bus-lane.

Besides road safety maybe road service level is another criterion for inclusion of an offence.

Hungary

The licence is withdrawn when reaching 18 points. 8 defined criminal offences which lead to 8, 10 or 12 points + 19 defined minor offences which lead to 1 or 3 points are included.

Offences which are included in the DPS are the following:

- Failing to give help, Endangering road traffic, causing road accident with serious injury, driving under the influence of alcohol or drugs, illicit cession of vehicle driving, failing to stop after causing the accident without injury - 9 points
- Driving during licence suspension period, drunk driving up to 0,08%, significant excess of speed, railway crossing offences, causing accident without serious injury, driving a vehicle unsuitable for safe driving, U-turning and reversing on expressways and motorways - 5 points;
- Giving way or overtaking offences - 4 - 5 points
- Disturbing road traffic, driving without licence, stopping and parking on or before pedestrian crossing, stopping on cycle lane and in a road bend, failing to stop at a red light, ignoring signals of police officer, stopping or parking on or directly before railway crossing, failing to give way to pedestrian on pedestrian crossing - 4 points
- Exceeding speed by one - fourth, violating the rules of turn signalling - 3 points
- Violating the rules of turning, stopping in a road junction, failing to obey the instructions of traffic signs - 2 points
- Inappropriate speed, not observing right-hand rule, crossing the continuous line or part of the road closed to traffic - 1 point

Ireland

The licence is withdrawn when reaching 12 points. The total number of road-traffic offences attracting penalty points is now 42. A list of offences which are included in the Irish DPS can be found online:

<http://www.rsa.ie/Documents/Licensed%20Drivers/Penalty%20Points%20Chart.pdf>

All offences are safety-related offences. There are other offences in the system such as parking vehicle registration which can result in fines but not penalty points.

Italy

The licence is withdrawn when 20 points are lost.

The offences foreseen in the demerit point system are listed in a table attached to the 1 of July 2003 law (art. 126-bis). It can be easily found online. 67 defined offences lead to a deduction of points.

Some serious infringements of the law can even lead to the revocation of your driver's licence. These include exceeding the speed limit by 40 km/h or more, driving while intoxicated and driving in an emergency lane. However, also "milder" infringements of traffic regulations can be the cause of a fine and penalty; these include racing, not stopping for pedestrians and passing through a red traffic-light.

Latvia

The licence is withdrawn when reaching 16 points.

There are 100 offences included in the DPS. Offences which are included are the following:

- Driving otherwise than in accordance with a licence (3 p.)
- Failure to comply with seat belt or helmet requirements or carry passengers who are not wearing seat belt or helmet (1 p.)
- Aggressive driving (6 p.)
- Failure to obey traffic light signals (4 p.)
- Failure to stop when so required more than once by a person who is authorized to check documents of the driver (8 p.)
- Failure to follow the regulations of vehicle placement on the driveway (1 – 3 p.)
- Failure to obey requirements regarding starting to drive and reversing of vehicles (1 – 2 p.)
- Speeding (1 – 5 p.)
- Failure to leave appropriate distance between you and the vehicle in front or next to you (1 p.)
- Dangerous overtaking (1 – 6 p.)
- Failure to obey requirements at junctions (2 p.)
- Contravention of pedestrian crossing and bus stop regulations (2 p.)
- Failure to yield (2 p.)
- Driving under the influence of alcohol or other drugs (6 – 8 p.)
- Failure to give a way to operative vehicle (2 p.)
- Failure to use headlights during the dark time of the day and in reduced visibility conditions (1 p.)
- Failure to obey requirements of pulling other vehicle (1 p.)
- Causing or likely to cause danger by reason of use of unsuitable vehicle or using a vehicle with brakes, steering or tires in a dangerous condition. (2 p.)
- Driving vehicle without vehicle technical inspection sticker (1 p.)
- Failure to comply with prohibition traffic signs (1 – 2 p.)
- Failure to comply with obligation traffic signs (1 – 3 p.)
- Driving in wrong direction on length of road where "one-way" sign applies (1 p.)

- Failure to comply with traffic lane marking (1 – 2 p.)
- Breach of duties at an accident (4 – 8 p.)
- Failure to obey traffic rules at railway level crossing (4 – 6 p.)
- Failure to comply with carriage of passengers (1 – 2 p.)
- Failure to comply with carriage of goods (1 p.)

These are all offences that endanger others. This was one of the main criteria when choosing which offences should be included in the DPS. Apart from that several offences which are the most common ones, but do not endanger other road users are included (for example, failure to comply with seat belt or helmet requirements and operating a vehicle without and inspection ticket)

Luxembourg

The licence is withdrawn when reaching 12 points.

There are 19 categories of offences that lead to deduction of 1, 2, 4 or 6 points. Some of the offences included in the DPS are: Driving without seatbelt, Speeding, Dangerous overtaking, driving under the effect of alcohol or drugs, Causing death by careless driving. Full list is available at (article 2bis – paragraph 2):

http://www.legilux.public.lu/leg/textescoordonnes/codes/code_route/LOI_14_FEVRIER_1955.pdf

The criterion for inclusion is the severity of offences. There are no other criteria besides road safety.

Malta

The licence is withdrawn when reaching 12 points.

The list of DPS violations is divided in 8 sections i.e. Accident Offences; Construction and Use of Vehicle; Reckless / Dangerous Driving; Drink or Drugs; Insurance Offences; Licences Offences; Miscellaneous Offences; Public Highway Offences; Traffic Direction and Signs. The schedule list consists of 30 offences which lead to 3 - 11 points.

Driving offences codes:

Accident Offences

- Failing to stop after an accident 5-10 p.

Construction and Use of Vehicle

- Using a vehicle with defective brakes or with defective tyre(s) or with defective steering 3p.
- Causing or likely to cause a danger by reason of load or passengers 3p.

Reckless/Dangerous Driving

- Reckless, negligent or dangerous driving 3-11 p.
- Manslaughter or culpable homicide while driving a vehicle 3-11 p.
- Causing death by dangerous driving 3-11 p.

Drink or Drugs

- Driving or attempting to drive or be in charge of a motor vehicle with alcohol level above the limit 3-11 p.
- Driving or attempting to drive then failing to provide a specimen for analysis 3-11 p.
- Driving or attempting to drive when unfit through drugs 3-11 p.

Insurance Offences

- Using vehicle uninsured against third party risks 6-8 p.

Licence Offences

- Driving otherwise than in accordance with a licence 3-6 p.
- Driving while disqualified by order of court 6 p.
- Non-renewal of vehicle road licence 3-6 p.
- Non-renewal of driving licence 3-6 p.

Miscellaneous Offences

- Emission of loud electronic sound from vehicle 3-6 p.
- Use mobile phone while driving 3-6 p.
- Driving without seat belt on 3-6 p.
- Wearing or using headphones or any other similar device while driving 3-6 p.

Public Highway Offences

- Exceeding speed limits signs or regulations for classification of road and type of vehicle 3-6 p.
- Contravention of pedestrian crossing regulations by a moving vehicle 3-5 p.

Traffic Direction and Signs

- Failure to comply with traffic light signals 3-5 p.
- Failure to comply with double white lines 3-5 p.
- Failure to comply with a traffic prohibitory direction sign 3-5 p.
- Failure to comply with a sign which prohibits entry of vehicle into a road or pedestrian zone 3 p.
- Failure to comply with a sign prohibiting vehicle overtaking 3-5 p.
- Failure to comply with 'Stop' sign 3-5 p.
- Failure to comply with a traffic mandatory direction sign 3 p.
- Failure to comply with direction of a constable or warden 3 p.

Netherlands

The licence is withdrawn when reaching 3 points. The DPS includes the following offences, with each violation resulting in 1 point:

- driving 30 km/h or more above the limit on all types of roads (except motorways)
- driving 40 km/h or more above the speed limit on motorways
- tailgating
- causing hindrance or danger in traffic
- causing an accident with material damage and/or injuries by violating traffic rules
- causing a fatal accident irrespective of whether rules were violated

Many other traffic offences such as drinking and driving, red light negation etc. are not included in the DPS.

Poland

The licence is withdrawn when reaching 24 points.

Every offence listed in Highway Code. The rank of the offences is based on considerations regarding their dangerousness. A few examples of the offences with corresponding number of points:

- Exceeding the speed limit by 50 km/h - 10 p.
- Negligence of assistance to accident victims - 10 p.
- Overtaking a vehicle on pedestrian crossing - 9 p.
- Negligence of giving a right of way to a pedestrian on pedestrian crossing - 8 p.
- Driving through on a red light - 6 p.
- Negligence of giving a right of way on an intersection - 6 p.
- Overtaking a vehicle on an intersection - 5 p.
- Exceeding the speed limit by 20 km/h - 4 p.
- Improper transportation of a child in a vehicle - 3 p.
- Driving without daytime running lights - 2 p.
- Lack of fastened seatbelt by driver/passenger - 2/1 p.
- Lack of helmet - 2 p.

Around 70% of the points are attributed because of speeding violations.

Romania

The amount of offenses included in the catalogue that leads to penalty points is 18. There are 18 offences included in the DPS.

The DPS includes the following offences:

- 2 points: incorrect use of headlights when driving against incoming traffic (long range lights), use of cell phones without hands-free devices, not wearing a seatbelt or a helmet, speeding (10-20km/h above limit), driving on a road where access is forbidden, breaking the rules on turning, reversing, changing lanes or changing direction (no damages), stopping in forbidden places, incorrect use of headlights (long range lights blinding drivers in front, driving the same direction), not using daytime lights on highways, express and national roads part of the E-network.
- 3 points: unjustified stopping on the highway emergency lane or on the road surface of national and express ways part of the E-network, speeding (21-30 km/h above limit), breaking the rules on turning, reversing, changing lanes or changing direction (where a collision with material damages occurred because of such manoeuvres), not maintaining the proper distance from the vehicle in front (where a collision with material damages occurred because of such manoeuvres), not respecting the 'go around' sign on the tram stops (trams run through the middle of the street, breaking this rule means driving through the tram stop), entering a crossroad junction when traffic is already blocked, stopping in forbidden places (more than 15 minutes), use of fog lights in other weather conditions.
- 4 points: not abiding by rules applying to vehicles in need of repair on the road (flat tire—signalling the spot with reflective triangles, etc), refusal to give ID, driver licence, vehicle registration to officers of the traffic police, speeding (31-40 km/h above the limit), driving during the night/daytime in severe weather (fog, heavy snow, torrential rain) with a vehicle not having proper lights or signalling, driving a vehicle/pulling a trailer when the registration papers do not allow road use, or are expired.

- 6 points: refusal to allow the technical check or immobilisation of the vehicle, not respecting the signals made by the railway workers directing traffic at level crossings, speeding (41-50km/h above limit), driving without one of the licence plates, or if the licence plates are not fixed in their assigned places, driving or stopping in the area separating the highway directions of traffic, parking or stopping on the highway in areas other than those specially designed, turning, reversing, or changing traffic direction through forbidden places while on the highway, ignoring the specific road signs signalling railway level crossings, left turns when this manoeuvre means crossing the longitudinal marking that separates traffic directions, entering a crossroad with traffic lights if this blocks the traffic in the crossroad.

Slovenia

The licence is withdrawn when reaching 18 points.

The offences which are included in Demerit Point System:

- speeding (on motorways, in urban and rural areas)
- drink and driving (alcohol and drugs)
- overtaking
- hit-and-run
- driving in wrong direction on motorways
- disregarding of traffic signs at railways crossing
- disregarding of traffic rules right-of-way
- disregarding the safety distance,
- disregarding the pedestrian priority,
- etc.

Spain

There are 27 administrative offences included. The offences carrying the loss of points are resolved administratively. The DPS includes the following offences:

- 6 points: Alcohol: +0.50 mg/l in breath + in professional and new drivers +0.30 mg/l; Exceeding the speed limit* Please see table attached (Anexo IV Ley 18/2009) + driving under influence of drugs; denial to cooperate with Police in order to obtain the proof of driving under alcohol/drugs influence; reckless driving; driving in opposite way as established; non authorized races; driving with traffic surveillance system inhibitor; driving with radar detection system inhibitor; alteration of tachograph or speed limitation device;
- 4 points: driving under alcohol influence: 0,25mg/l to 0,50mg/l in breath. Professional and novice drivers: 0,15mg/l to 0,30mg/l; driving with inadequate driving licence; driving with cancelled driving licence or using vehicle not being authorized; to throw objects on the road than can cause accidents, fire or obstacles in traffic; not comply with traffic regulations on priority access; not to respect a red traffic light; not to respect a Stop sign; breach of overtaking traffic rules; overtaking causing danger or being an obstacle to cyclists; driving backwards in highways and carriageways; driving without keeping legally established distance between vehicles; not to respect the signals made by Police;
- 3 points: driving not wearing the seatbelt or crash helmet nor child restraint system; driving using manually mobile phone device, GPS, or other communication devices, change of direction not complying with traffic rules;
- Concerning the non-respect of speed limitations, the following table describes the criteria of losing points:

Table 8: Points for speed violations in Spain

Cuadro de sanciones y puntos por exceso de velocidad

Infracción sobre exceso de velocidad captado por cinemómetro

Límite		30	40	50	60	70	80	90	100	110	120	Multa	Puntos
Exceso velocidad	Grave	31 50	41 60	51 70	61 90	71 100	81 110	91 120	101 130	111 140	121 150	100	–
		51 60	61 70	71 80	91 110	101 120	111 130	121 140	131 150	141 160	151 170	300	2
		61 70	71 80	81 90	111 120	121 130	131 140	141 150	151 160	161 170	171 180	400	4
		71 80	81 90	91 100	121 130	131 140	141 150	151 160	161 170	171 180	181 190	500	6
		81	91	101	131	141	151	161	171	181	191	600	6
	Muy grave	81	91	101	131	141	151	161	171	181	191	600	6

En los tramos de autovías y autopistas interurbanas de acceso a las ciudades en que se hayan establecido límites inferiores a 100 km/h, los excesos de velocidad se sancionarán con la multa económica correspondiente al cuadro de sanciones del anexo IV. El resto de los efectos administrativos y penales sólo se producirá cuando superen los 100 km/h y en los términos establecidos para este límite.»

Law 17/2005 does not cover crimes committed by a driver, but it only sets, in its additional provision n. 13, the administrative effects of criminal convictions involving the deprivation of the right to drive.

6.2.2 Opinions

Experts were asked about their opinion about including specific offenses in the points' catalogue and the criteria for inclusion. Experts were also asked about their opinion about the amount of offences that lead to points

Austria

- 1) This is an offence catalogue that works. However the main cause of the accident 'speed' is not included. In practice there are considerable difficulties to execute a demerit point offence – the evidence for the demerit point is for the administrative clerks difficult. The child car safety is easier to do. Speed violations are missing (10km/h in place earlier, for more as 30km/h in town, 40km/h outside of town there should be a demerit point). Theme 'Distraction' such as phoning while driving should also eventually be included. It makes sense to limit it to a few offences, but for sure speed violations must be included. Child car safety is easy to recognise – for other offences the danger of road safety is hard to recognise.
- 2) The most frequent offences that are registered – are – because they are probably easier to detect by the police. "child-proof lock offences" – in Vienna, 90% foreigners are "concerned", appearing in corresponding trainings. A DPS would have to integrate all of the offences which are relevant for traffic safety. Probably at the moment these are too many or too "banal" ones – the "big three" should be integrated: Speed, Recklessness (tailgating, bending, etc.), Alcohol, Seat belt (was mentioned later); Offences in DPS would have to be empirically proved. Unfortunately the offences that can be integrated have to be politically realizable. Probably the list is not too long / too short: "big three": speed, alcohol, reckless driving performance (=is difficult to collect and would at first need research to precise the danger potentials). The passive measure "using seat-belts" would surely also be important.
- 3) There are very few points for 'emergency lanes': one could delete these offences. There are few passing on red. In the district of Kufstein there are few offences for railroad crossing. Driving with

a BAC between 0.5 and 0.8‰= important, cargo securing= important, Speed violations are not included – only in the withdrawal system (withdrawal for 2 weeks is rather too short to measure). When one keeps speed violations out of the point system, then the withdrawal should be longer than 2 weeks. Telephoning while driving= an offence that should be included in the DPS. But this should not be only given when stopped by the police (difficulty: proof by law enforcement). Austria has made a decision on the list of offenses. One would have to reconstruct the Austrian system. It is most probably more work administratively. One would have to change the entire system.

- 4) Endangering pedestrian: Critical, since it is difficult to assess (considering the respective regulations). Stop signs: Fully OK, red light: fully OK railroad crossing: fully OK, hard shoulder: fully OK, Dangerous good: fully OK, this is problematic in terms of professional drivers. They are frequently forced to drive defective vehicles, in other word they have the choice to either use a defective vehicle or lose their job, all OK. The list is by far too short. We got only one of the "Big Three" (i.e. alcohol, speeding, seat belt). There are many more dangerous offences, which should be considered proportionate to the added risk they cause.
- 5) The list is too short. E.g. the number of permitted persons driving in the car at once should be added. Also technical modifications to the vehicle should be added.
- 6) There should be only one list of road safety relevant offences. "Because this offence was made, the licence will be withdrawn" – fine & withdrawal must be combined. From one authority to the other cases are handled differently / according to one's disposition. Driving restrictions are also different from district to district! That is why offences cannot be compared to one another! The consequences are always from case to case / from public authority to public authority, differences in severity.

Czech Republic

- 1) In the revised list the number of offences will be lower; comparison of the data after some time will show what is better.
- 2) New simplified list of offences seems to be better, except leaving out the BAC up to 0.3‰ - it should have been left in the list.
- 3) In the past, the number of offences was minimum and the system was well working and it could be said that it topped current system ¹.
- 4) Changes in sense of simplifying and reducing the list of offences are necessary and are currently in the works. Rather less offences; it used to be 6 offences in past and it fully covered safety demands¹.

¹ The respondents refer to the system that worked in Czechoslovakia since 1951 and was in many aspects similar to modern DPS. The component of the driving licence card was paper plate with ten stubs. Those stubs were clipped by authorized body when serious offence was detected (gross recklessness, or repeated less serious offences). When all stubs were clipped, the licence was withdrawn and restored after testing. In 1964, concrete offences were printed on the paper plate (speeding, not giving way etc.) and it was marked when the offence was detected. The driver was allowed to ask for new, unmarked plate 6 months after committing last offence. The policemen could see the "offence history" of the driver and assess whether he is recidivist, and adjust the amount of fine, and authorized body could decide whether the driver is still credible to drive or not, possibly to withdraw the licence. The system was gradually disappearing since 1987, when other type of licence cards started to be issued.

- 5) Existing list has been more or less satisfactory. Concerning revised list, disagree with toleration of alcohol up to 0.3‰ and remaining practice of cumulated offences (only the most serious offence is counted). The main criterion must be dangerousness of the offence, danger for life and health of road users. Existing number of offences is convenient, I disagree with reduced list.
- 6) New revised list of offences – the offence of not providing effective aid by road user is problematic, the proving will be difficult. The offence of driving motor vehicle with other than assigned registration plate was now removed from the list, but it is important, because of identification. Otherwise satisfactory. The main criterion is social dangerousness, but it can change in time. The list of offences is convenient.

Finland

- 1) One of the results of BestPoint could be such a list of offences which should be included in the DPS?
- 2) The system has worked quite well. Currently non-uses of seat belt or crash helmet are not offences that are counted in DPS, but they should be. There is no list of single offences in the current system which has been OK. In future, if offences will be weighed and given different number of points, such list would be essential for the transparency of the system.
- 3) Changes to the current list of offences should be carefully planned and they should be based on the effects of different offences on safety.
- 4) Offences could also be given point-value according to their contribution to accident risk. It is important to keep the system transparent and acceptable, and easy to understand. In the updated Finnish system non-use of seat belt or crash helmet are not included, but they should be, because of the cost of non-use to the society. There is no list of offences in the current system (which works quite well). The written warnings (without monetary sanctions) given to the drivers should perhaps be included in the system. Even if they were not counted as offences leading to withdrawal of licence, they could be taken into account when deciding the length of licence withdrawal.
- 5) The current system (that is not called DPS) works reasonably well, even though the point-values of offences are not differentiated. A DPS system could also include offences that have little effect on road safety if they are important for the functioning of the traffic system, but they should have low point-value (e.g. parking offences, using mobile phone while driving). There is no list of offences in the current system which is OK
- 6) Although the current Finnish list of offences is long, this is mostly a classification issue. The offences could be classified by seriousness of offence if an actual DPS will be introduced.
- 7) Speeding, which is the most frequent offence, should have several categories depending on speed limit and how much actual speed exceeds speed limit. Regarding other offences, there is less need for distinction on the basis of severity, because the sanction for each offence (irrespective DPS) takes severity into account.
- 8) There is no list of single offences in the current system which has worked fairly well.

France

The number of points is fixed by the law. It is attributed according to:

- the severity of the risk and the danger for others (alcohol, speed, etc)
- the danger for oneself (seatbelts, helmets, etc)
- a better respect of the rule (seatbelts, speed cameras, etc)

Germany

- 1) According to Schade (2005), also one-point-offences lead to a high accident risk. To assign the amount of points to an offence according to the risk would lead to losing proportionality. A differentiation between offences is surely necessary, but if it's necessary to assign 1-7 points is questionable. The actual amount of offences that lead to points is considerably less, around 120. The optimal amount depends on the art of the system. In case of the current systems, the catalogue could stay as it is and exclude only those offences that do not directly have an influence on road safety, e.g. driving in the environmental area without a sticker. There are around 10 offences which could be excluded. In case of a system change one would come to a smaller catalogue due to proportionality. How many offences this would be needs to be checked in detail.
- 2) To relate the points to the risk is difficult. How should this be measured? All accidents? All accidents with injuries? With regard to all accidents, the accident reason alcohol would be very in the back. With regard to accidents with injuries alcohol would be more in the front. Different with driving backwards. This often leads to accidents, but very seldom to injuries. Besides, the amount of points rise within the facts of the case, it goes up when endangering. A further aspect is that the reason for the accident is often difficult to identify, e.g. in case of rear-end collisions. It is not easy to say: was it speeding, was it the low distance or pure carelessness? The optimal amount of offences depends on the sense and the purpose of the system. A catalogue needs to be easy to understand. An easy overview would mean having few offences in. When including all dangerous behaviours, the amount would increase. Regarding § 1 Road Traffic Act, which hints to mutual respect and attention, one would have to include all offences, because people should behave according to the rules. Often road users make their own rules. User A makes a rule and user B makes a rule. The question is if they are compatible. Actually, one should lapse the points and only count offences. Such a system would serve the same purpose: to filter unapt drivers.
- 3) With regard to transparency, a catalogue should involve as many as necessary and as little as possible offences.
- 4) The optimum would be 30 offences without differing between types of offences, e.g. speeding. In any case, the main accident causes should be involved, meaning speeding, red light violation, alcohol and bending.

Great Britain

- 1) I am satisfied with the list of offences and the criteria for inclusion.
- 2) I am satisfied with the amount of offences that lead to points.

Greece

- 1) A DPS should include only road safety offences.
- 2) The DPS in Greece is updated in order to include specific offences when an accident happens due to this offence which was previously not included. This should stop and we should think very well which offences to include.
- 3) A DPS should only be applied in offences related to road safety. The amount of offences that lead to points is fine as it is. This issue needs to be examined deeply.
- 4) The criteria for inclusion are ok since they cover both road safety and level of service.
- 5) All offences must be penalized with points. All violation must be included in the point system.
- 6) The offences included are complete.

Hungary

2 points for failing to wear the seatbelt or using child restraints is not adequate – should be more! 2-3 severe offences should lead to licence withdrawal. But generally, only the most severe offences should be included in the catalogue, insofar the Hungarian catalogue is quite ok. 2-3 severe offences should lead to licence withdrawal.

Ireland

I agree to the inclusion of the offences. It is fine as they are safety related. Most are safety related. There are additional offences been considered for inclusion. I do not think there should be an optimal amount of offences once the offences are related to safety.

Latvia

The list of offences is well discussed and it is improved during the time. The list of offences which are included in the DPS is sufficient for the present situation and all aspects of the influence to the road safety are considered. It is observed, that drivers are more concerned about gaining the penalty points then paying fine. Therefore it is necessary to include not only the most severe accidents, but also the most common ones (e.g. only 77% of drivers and passengers in front seat used a seat belt in 2006): Speeding, drink driving, non use of seat belt, aggressive driving constituted the biggest amount of all registered violations. For example, accidents under the influence of alcohol from 2004 (the year when DPS was introduced in Latvia) to 2006 are decreased by 22% (injury accidents). Offenders are more concerned about gaining points than paying the fines. Therefore it is necessary that all important offences are included. All important offences has to be included, the number does not matter too much.

Luxembourg

The criteria for inclusion are road safety oriented. The amount of offences that lead to points is appropriate.

Malta

- 1) The list of driving offences as stipulate in the Sixth Schedule of the SL65.18 of the laws of Malta treats most of the offences. Others offences which can be included are with regards to Cyclists and Pedestrians.
- 2) The amount of offences that lead to points is good. It focuses on Road Safety. The present list is optimal. But as already mentioned above, I would include 2 / 3 offence on Cyclists.
- 3) The amount of offences that lead to points is fine as it is.
What would you consider to be the optimal amount of offences? The list of offences caters for the most important offences that affect Road safety.
- 4) The amount of offences that lead to points is fine as it is. It is a must to have the 5 most serious offences:- Passing on red light, Using of Mobile while driving; Driving under the influence of Alcohol / Drugs, Reckless Driving; Driving without Insurance.
What would you consider to be the optimal amount of offences? The present list is optimal.

Poland

These are good criteria to include offences in the DPS; they show what is considered as the most dangerous behaviour. As an example: the majority of accidents in Poland are caused by speeding, the most endangered group is pedestrians and violations in these areas are punished very severely. This is a good list, even though it is quite long, but everyone has access to this list – it assures full transparency.

6.3 Special Issue: Lifetime of points

This chapter gives information about the “lifetime” of points. Lifetime thereby means the period of registering of points. It also describes special regulations regarding the recording of points according to the severity of the offense or re-offending within a certain time period. Points for severe offences may live longer. Re-offending may also lead to longer lifetimes of points. From an objective point of view, the lifetime should be clear, simple, transparent in order to keep the DPS understandable. Nevertheless, the lifetime should be long enough to detect those who often tend to reoffend.

6.3.1 Properties

Experts were asked about the regulations for recording points in their country, e.g. how long points are recorded and from what time on the recording period starts. There may be variations between the countries concerning the start of the calculation from the day of committing the offense or from the day of a valid decision of an authority.

Austria

Points are registered two years from the first offence on (commitment of offence – but registration takes place only after the legal force of the procedure). But, if a second offence is made during the two years, the period is extended to three years. After the two or three year period the points will be erased. There is no difference between different offences.

Cyprus

The points imposed for each offence are withdrawn on the day of completion of 3 years from the day on which the points were imposed.

Czech Republic

After one year without detected (pointed) offence, 4 points are deleted automatically, after subsequent year another 4 points and then the rest. The points are deleted without regard to the type of committed offences. In case that the driver has a driving ban (beyond DPS) the time for deleting points starts after the end of the ban.

Receiving new points leads to longer lifetime, because when the driver gains new points during the year, the old ones are not deleted.

Lifetime is counted from the date of valid authoritative decision.

When the administrative process is not completed up to 12 months from the time of offence, the case is not solved furthermore, no points ascribed.

It should be emphasized that although deleted, penalty points remain registered in the Central Register of Drivers forever.

Denmark

Each point is valid for 3 years from the day of the offence/conviction. After 3 years the point is deleted automatically.

Example: You commit an offence and get one point. Within the next 3 years you commit another offence and get one more point. Now you have two points “in the bank”. After more than three years from receiving the first point you commit another violation and get another point. This point will not have the consequence that your driving licence is withdrawn as the first point you received now has become obsolete. Note that you are not sentenced to 1 or more points. The point(s) are released afterwards in an administrative way and become effective from the day of committing the offence(s).

Finland

Points are registered one or two years. For novice drivers the limit is 2 offences within one year or 3 offences within two years. For other drivers, the limit is 3 and 4 offences respectively.

The lifetime of points is fixed.

France

The loss of points related to offences is max 3 years.

When you lose points you have two ways to get back points:

- You wait for 3 years without any offences for the more severe offences (Six months only if you lose a single point, two years for those which make loose 2 points) and then you get back all your points. If the driver commits a new violation during this period, the time count starts from this new violation
- You can volunteer to follow a training course which allows you to recover maximum 4 points (without having a total of more than 12 points). Once you have participated in such a course, you cannot participate in another one for at least one year.

If the driver commits a new violation during this period, the time count starts from this new violation

Points are taken off once the driver recognizes to have committed the violation - either by payment of the fee, or when the judgment is definitive, or when the sanction is executed

Germany

Entries with criminal offences in connection with alcohol or drugs and others which lead to licence withdrawal are deleted after ten years, other criminal offences after five years. Minor offences are deleted after two years. New entries within this time period prevent the deletion of previous entries ("deletion impediment"). The deletion impediment is limited to five years, with the exception of alcohol and drug violations. The period until deletion always starts on the day of the valid decision of the authority, in case of criminal offences on the day of the first judgement, in case of penalty orders on the day it was signed by the judge.

Great Britain

Points stay on the licence for a set period of time, depending on the offence – minimum of 4 years - and then can be removed from the licence.

Greece

3 years for drivers in general and 2 years for professional drivers - provided that the limit of 25 points is not reached. When the limit of 25 points is reached then the driver licence is suspended and the points are eliminated. Gaining of new points does not lead to longer lifetime of other points.

Hungary

Points are registered for 3 years.

Ireland

Each set of Penalty Points accrued lasts for 3 years beginning 28 days from the date of the notification from the RSA, not the offence date.

Italy

Registration is permanent but there are ways to regain points attending special courses.

Latvia

Points are registered for two years for most of the offences. In the case of heavy offences (8 points), points are active for five years. Gaining of new points does not lead to longer lifetime of other points.

Each offence is counted separately and does not influence other points. The lifetime is counted from the time when offence is committed and appeal period is over (30 days).

Luxembourg

Drivers must not commit any infraction for a period of three years starting from the last infraction, in which case all points may be recovered. Points do not have different lifetimes. Points are taken off once the driver recognizes to have committed the violation - either by payment of the fee, or valid court decision.

All 12 points can only be recovered after a 3 years period without committing offence. If the driver commits a new violation during this period (three years) the time count starts from this new violation

Malta

The points are registered for 3 years. Points do not have different lifetimes. Gaining of new points does not lead to longer lifetime of other points. The offender gains points and the points remain on his driving licence up to the first 3 years from when he obtained the driving licences. There isn't the possibility to reduce points.

Netherlands

Points are registered at the maximum for the first five years. The Dutch DPS only applies to novice drivers and stops after five years. A penalty point in the first year of driving has a life time of five years and a penalty point in the fourth year of driving has a life time of one year. Gaining of new points does not lead to longer lifetime of other points.

Poland

Each point (or set of points received in connection with one ticket) is valid for 1 year. The points are deleted automatically.

The gaining of new points leads to longer lifetime of other points. If someone is going to exceed the points limit with the most recent offence (and sometimes it takes time to legalize this process especially when there is an appeal against Police decision), in that case even if during this period of time some points are subject to cancellation (because 1 year passed) they are frozen until the final decision of the police.

Romania

The points have juridical value (i.e. are counted for licence suspension) for 6 months. After this period they have no legal value, but their record is still kept in the police database.

The points do not have different lifetimes (according to offence they are related to).

Spain

The first time, the driving disqualification is of 6 months, since the notification of the loss of entitlement to drive. If in the following three years the driver loses his licence again, the driving disqualification is of 12 months.

This term is reduced for professional drivers: the first time, the driving disqualification is of 3 months, while the second time the driving disqualification is of 6 months.

If in 6 years of licensing the driver does not lose any point he gets extra bonus points (up to 15):

- if in first 3 years of licensing the driver does not lose any points he gets 2 points = 14 points total.
- if during the following 3 years the driver doesn't lose any points, he gets 1 extra point = 15 points maximum.

Article 60(5) of Law 17/2005 provides, inter alia, that *"those who keep all the points for not having committed any offences will receive extra bonus of two points during the first three years and, 1 point, by the following three, being able to gain up to a maximum of 15 points instead of the initial 12 points credit"*.

Points are lost when the sanction is final:

- if there is no administrative appeal, one month after the receipt of the sanctioning resolution;
- in case of administrative appeal, when the decision on the appeal is notified.

6.3.2 Opinions

Experts were asked about their thinking about the period of recording points.

Austria

- 1) This must be generally evaluated whether the time period is appropriate. The time period as it stands now is found to work.
- 2) Relevant for behaviour are the consequences that are realized immediately: there exists no known research about the consequences of persisting account (score) on behaviour. Probably extension of the marking to 5 years, however this has to be empirically proofed.
- 3) The time period should be extended to at least 5 years. The effectiveness would be increased in doing so.
- 4) The time period that points are registered is too short. Or you may say that the enforcement density is too low. I would extend to at least 5 years.
- 5) The time period is not yet "right". If I already have an entry in the DPS and then a severe speed violation (which on the spot leads to e.g. 2 weeks licence withdrawal; [speed offences are NOT included in the DPS catalogue!]) a potential DPS licence revocation period is extended another 2 weeks. This regulation is unreasonable (severe speed offences are much more dangerous than e.g. DPS-relevant child restraint failure) and therefore possibly not conforming to the constitutional law.
- 6) There are just a small number of persistent offenders. In most cases the registration is cancelled after two years. If speeding would be in the catalogue of offences, there would probably be more persistent offenders. The duration is well chosen for the Austrian DPS.

Czech Republic

- 1) The system seems to be well working, lifetime of points adequate. Now it is not the right time to introduce differentiated lifetime, but it is worth considering for future (e.g. points for certain offences should not be deleted at all – alcohol).
- 2) Lifetime of points and system of deleting is OK, it is motivation to improve behaviour
- 3) Serious offences should be mentioned in duplicate of registration card of driver (e.g. for purposes of criminal procedure) even if the points are gradually deleted.
- 4) One year is too long for a time period that points are registered.
- 5) The system works well.
- 6) The points are real threat, for professional drivers the system is maybe too strict, from social point of view.

Finland

- 1) Longer lifetime of points increases the positive effects of DPS on driver behaviour and safety.

- 2) The current periods of 1 or 2 years seem to be OK. There is no clear need to make the system more or less punishing. It is important the system is acceptable to road users.
- 3) In the current Finnish system the risk of getting caught 3 times in a year or 4 times in 2 years is very small because of low level of enforcement (except automatic speed enforcement). Nevertheless, there is no obvious need to make the system stricter. When deciding the lifetime of points, the level of enforcement should be taken into account.
- 4) The current Finnish lifetimes of points are OK.
- 5) The current periods of 1 or 2 years seem to be OK. I think that the limits should be based on research results.

France

Historically, lifetime of points used to be 3 years whatever the offence. Then, the lifetime was shortened for the less severe violations (the one point offences).

Recently, politicians have shortened the time of effects of the less severe violations (see above). Since, the numbers of violations and crashes have increased.

Germany

- 1) In Germany, points are registered long due to the deletion impediment. If this is lapsed, the lifetime of points should be three years for minor offences. In case of criminal offences, the lifetime should depend on the dangerousness or rather on the risk of the behaviour. Thereby, lifetimes under five years could be considered.
- 2) If the deletion impediment is lapsed, the lifetime of points should be three years for minor offences and 6 to 12 years in cases of criminal offences.
- 3) The purpose of the DPS is to filter unapt drivers. The system should ensure that repeated offenders reoffend within the lifetime of old offences. This is ensured by the current lifetime + on year in case that the deletion impediment is lapsed. Repeat offences often happen within a short period. In case of changes in the German DPS, a lot of public media work is required. One has to explain the objective of the change. Otherwise it could have the effect that people think it would not be bad any longer not to obey to the rules.

Great Britain

- 1) I am satisfied with the time period that points are registered.
- 2) Ensures that drivers recognise the severity of the incident. Research suggests that penalty points do have a deterrent effect
- 3) Disqualification arising from accumulating penalty points under S35 of the Road Traffic Offenders Act 1988 (through the totting procedure) wipes the slate clean of all pre existing points on the licence. Outright disqualification for a single offence, e.g. drink-driving, leaves other pre existing points on the licence to run their course.

Greece

- 1) 3 years are ok for the time period that points are registered.
- 2) The time period that points are registered should be raised and be more severe.
- 3) They are fine as they are. This issue needs to be examined deeply.
- 4) This needs to be studied in depth, maybe different time period per offence could be implemented.
- 5) They don't have to last for long period.
- 6) It is an adequate period of time in order to avert the users to realize an offence.

Ireland

The time period that points are registered is satisfactory. Decision on the time period was based on Australian system. I am not aware of any evidence for my opinion.

Latvia

The time periods are sufficient.

Luxembourg

The time period that points are registered is appropriate to fight recidivism.

Malta

- 1) The existing period of 3 years is too short. I think a time period of 5 years would be better.
- 2) I think the period of 3 years stipulated by the law is adequate. It is a reasonable time period. After the span of 3 years, the driver points should start a fresh.
- 3) I think the period of 4 or 5 years is fine. It is a reasonable time period. After the span of 5 years, the driver points should start a fresh.

Poland

The time period that points are registered is a good solution especially the mentioned exception.

6.4 Special Issue: Multiple offences

It should be taken into account, how to deal with cumulated offences, e.g., if someone is caught running a red light under the influence of alcohol. There are several possibilities: Should the DPS consider only the most severe offence or add all points up or do something in between?

If points are cumulated, drivers could lose their licence after a single event, there could be worries about unfortunate combinations with low overall importance.

6.4.1 Properties

Information was gathered concerning the issue how it is dealt with cumulated offences, i.e. if someone commits two or more offences at the same time/in one event.

Austria

If there are two or more offences committed at once (unity of crime) they will be counted as one registration. But in this case one of the special measures (courses) has to be absolved (although this would normally take place just after the second offence).

Cyprus

The points for each offence are added and imposed cumulatively.

Czech Republic

When more offences are committed at the same time, driver obtains the points only for the most serious one.

Denmark

For each offence you get 1 point. If 3 offences are committed at in one incident you get 3 points.

Finland

In the current Finnish system one penalty is counted as one offence.

France

Points can be accumulated, but the maximum number of points that can be lost in a single event is 8.

Germany

If two or more offences happen in one single event, the offence with the highest amount of points is counted.

Great Britain

Points are given only for the most serious offence.

Greece

If multiple violations are detected in one instance, the police issue the points of every violation separately and they are added.

Hungary

When committing several traffic crimes at the same time, total number of points is: the points issued for the offence subject to the maximum points, plus 4 points. When several minor offences - the points issued for the offence subject to the maximum points, plus half of the points issued for the offence subject to the lesser offence.

Ireland

Offenders pay the fines for the offences incurred at the same incident but they only get the penalty points for 1 offence (which ever has the highest amount of points).

Italy

The DPS is structured as follows: all driving licences issued before and after 30th of June 2003 receive a score of 20 points that can be deducted (to a scale from 1 to 10 points, 15 if more than one offence occurred within the same context) depending on the severity of the offence committed.

E.g. If one goes through the red light, speeding and without seat belt fastened the total amount of points to be deducted should be 16 yet the system establishes to take 15 points off from the licence for more than one offence in the same context.

In the event of multiple offences in the same context 15 points will be deducted. For novice drivers the driving licence is instead withdrawn and they need to pass the driving exam again.

Latvia

In the case of cumulated offences, the points are assigned for the most serious offence (offence with the highest number of points).

Luxembourg

Driver cannot cumulate more than 6 or 8 points. In the latter case, one of the offences must be a severe offence.

Malta

It depends on the Judicature because the law does not specify what should be done in multiple offences. Normally only for the major offence the penalty points are awarded.

Poland

Points are also cumulated. It is quite impossible to lose the licence after a single event, with unfortunate combinations of offences of low importance and if so, the driver had to gain some point before and he/she should be more careful and avoid another offences.

Romania

All points are added up for an event

Spain

Except if committing very serious infractions, drivers will not lose more than eight points by accumulating infractions in one day.

6.4.2 Opinions

Experts were asked about their opinion about how it should be dealt with cumulated offences and if they have any evidence for their opinion.

Austria

- 1) It should be handled like the conventional criminal proceedings - every offence = a penalty – one would have 3 demerit points in one act (because three offences were done) – it is harder to judge as one single offence.
- 2) Adding offences in the legal system, e.g. 150 years of punishment like in the U.S. – sounds rather “absurd”. However, endangerment concerns the others directly – in this respect, one should maybe add up.
- 3) When two or more offences occur at one time, a measure has to be taken immediately: also when no point exists for it. There is an immediate measure for drink driving or no child seat for example. These conditions are handled with extreme difficulty. Often it is not easy to interpret.
- 4) Give me one reason, why non-use of seat belt is less dangerous when driving without seat belt at excessive speed. Two offences are two offences.
- 5) In the case of two offences at once, the driver has to pass a driver improvement course. A further offence (the third one) would lead straight to the withdrawal of the permission for at least three months.

Czech Republic

- 1) Points should be rather counted up; the dangerousness of behaviour is logically multiplied in most cases when several offences are committed in the same time.
- 2) Offences and points should be rather counted up. When several serious offences occur in the same time, the risk is higher than risk of isolated offences.
- 3) Offences should be solved individually.
- 4) Other practice – count up, but only in case of serious offences, not minor offences
- 5) Points should be counted up. The rules must be complied and even less serious offences should be treated.
- 6) Every offence should be solved.

Finland

- 1) To keep it simple, only the most serious offence should be counted. Some offences like drink-driving can lead to immediate suspension of driving licence. In such case, the offence should not be included in the DPS system at all?
- 2) This is complicated. Each offence could be counted separately if offences are given points. Currently one aggravated offence can cause withdrawal of driving licence. Currently, if several offences are committed at the same time, this is taken into account in the penalty which is issued at site. In the DPS registry such offences may be counted as one offence?

- 3) In the current system two or more offences committed at the same time are counted as one in DPS. Multiple offences can affect the length of licence withdrawal. It may be against criminal law to count each offence separately in DPS, if they are committed at the same time.
- 4) Each offence committed at the same time should be counted separately. It motivates for good behaviour better than if only one (most serious) offence would be counted.
- 5) Including each simultaneous offence could be too overblown. Perhaps some sort of increase of the number of points could be more suitable. However, this increase would be lower than the sum of resulted from each offence.

Germany

- 1) It is o.k. to count only the offence with the highest amount of points. The smaller offence merges in the larger one. The evaluation of the total behaviour happens on the criminal judgement level. If each offence of one behaviour was counted it would be a double sanctioning. It could happen that one reaches a high amount of points very fast. That would not be relevant to the case and disproportionate.
- 2) It is enough to count the offence with the highest amount of points. Otherwise it would be possible that one receives the maximum penalty, the licence withdrawal, in one event. This would counteract to the purpose of the system. Additionally, the behaviour could be punished otherwise if it was so severe. Exceedingly heavy offences result in doubts about the driver's aptitude. The licensing authority is acting anyway in that case.

Great Britain

I am satisfied with the fact that points are given only for the most serious offence.

Greece

- 1) Only the points of the most important-severe offence should be registered.
- 2) It should be cumulated.
- 3) In a single event only the highest (more dangerous-important) offence should be charged to the driver. What we want to measure and punish is the behaviour. For example if someone is drunk and pass a red light, what is main problem is that he/she was drunk, if he/she was not drunk would not pass the red light. Having a cumulative system is hyperbolic, if we take into account that the reason for the existence of the DPS is to enforce the driving behaviour, not to take the driving licence.
- 4) Only the most "important" one should count.
- 5) They have to be treated separately.
- 6) It should be dealt as it is now dealt, by adding the different offences.

Ireland

It is practical and appears to be fair. Issue points to whichever offence have the highest amount of points assigned. It is a fair system and important for public perception of the system. No evidence.

Latvia

It is considered as a good practice, that offender receives the points for most serious offence. The main aim of the DPS is not to punish drivers but prevent them of committing offences and evaluate driver's behaviour in long term. It would be too artificially made situation if all offences in one event are counted.

Malta

- 1) There should be a minimum stipulated by the law on each offence. But it should be left in the hands of the Judiciary to decide if on every offence the points are awarded when committed at the same instance.
- 2) For every offence, penalty points have to be added. This may lead the Driver to lose his driving licence or being suspended. If he earns his leaving with the licence, the Driver has to pay more attention of his driving behaviour.
- 3) The serious offences have to be taken in consideration which may lead you to lose the driving licence or being suspended.

Poland

The present solution is proper and accepted by people. Unfortunately no facts about safety effects, but for sure it has a very preventive effect.

6.5 Summary and overview

This chapter sums up the criteria for the number of points to be gained or lost by a certain offence in different countries. It also describes which offences are included in the points' catalogue and if the criteria to include are based on accident risk or other criteria besides road safety. The chapter also gives information about the "lifetime" - the period of registering - of points. With regard to number of points two main approaches can be distinguished: all offences result in the same amount of points or offences and number of points is weighted on the basis of seriousness of the offence. Nevertheless, there are also exceptions (offences without accident risk) which lead to points, e.g., the non-using of a seat belt or driving an administratively suspended vehicle. The experts prefer the criterion of seriousness but also point out that the system should be simple and clear. The lifetime of points is 6 months to five years (for criminal offences up to 11 years); it may depend on being a novice driver, a professional driver, re-offending in that period and seriousness of offence. There is a huge range of the amount of offences included in the DPS. In Austria there are 13 offences included in the DPS, in Germany, 1.296 offences are included. In case of multiple offences, points are cumulated or the most severe offence leads to points. One expert demands to integrate at least the "big three": speed, recklessness (tailgating, bending, etc.) and alcohol.

7 Intermediate measures

This chapter provides an overview about intermediate measures, which are tools of rehabilitation. The rehabilitation measures can focus on different aspects, like driving skills, knowledge or attitude change. To participate successfully in rehabilitation measures there are different criteria for passing/failing. In relation to the amount of points, consequences can differ and may include course participation or warning letters.

7.1 *Special Issue: Rehabilitation*

In the frame of the DPS, in some countries there are measures within the DPS which include the element of rehabilitation. For some categories of offenders, rehabilitation may be the only useful tool. Special issues refer to the existence of rehabilitation measures in the frame of the DPS involving the mode of participation (mandatory vs. voluntary) and the related consequences. Another special issue regards the focus of the measure, i.e. improvement of skills and knowledge or changing attitudes. The chapter also surveys the criteria for passing, respectively failing the measure. At the end, other consequences that are related to points, e.g. warning letters, are described.

7.1.1 *Properties*

This sub-chapter describes for each country if there are measures that include the element of rehabilitation and what kind of measures these are. It was also interesting to gather information if the participation in a measure is voluntary or mandatory and which consequences are related to participation (e.g. reducing of points). If the mode of participation in a rehabilitation measure is voluntary it may lead to a reduction/regain of points. It is an incentive for participation in a course that treats or educates drivers when they often commit offences. The mode of participation in a rehabilitation measure can be mandatory to avoid more serious consequences. Such measures are meant to have a general preventive as well as a special preventive effect.

Austria

There are no programs that enable drivers to reduce the number of points/get back a driving licence voluntarily. After the second offence, there are various measures (courses, like driver improvement courses) that have to be absolved mandatory; otherwise the licence will be withdrawn as long until the mandatory measures are passed. Voluntary course to reduce points do not exist.

Bulgaria

Every driver annually has the right to recover 1/3 of the initial number of points, after covering additional training. The driver may recover the maximum amount of points if in the course of a 2-year period he/she has done any offence which is punished by taking away points.

Cyprus

Periodically, road safety lectures are organized by the Traffic Department (optional attendance), for drivers with 7 or more demerit points. The response was poor. The participation in this measure is totally voluntary, not fixed by law, it does not reduce points

Czech Republic

Once per year, drivers with less than 10 points (and none of the committed offences is for 6 or more points) have opportunity to undergo one day safe driving training to delete 3 points. (During first three years of existence of this measure, 5022 drivers used it; now the number of training places increased, so more use can be assumed). The participation in this measure is voluntary. You can participate in a

course or you can drive without offences at least one year (every 12 months without detected offence means deleting of 4 points).

France

The DPS does provide measures that include the element of rehabilitation, for all: it provides demerit points system sensitization courses, voluntary for experienced drivers (more than 3 years). One can volunteer to follow a training course which allows you to recover maximum 4 points (without having a total of more than 12 points). Once you have participated in such a course, you cannot participate in another one for at least one year. For the novice drivers the training course is mandatory when they commit a 3 (or more) points offence. They recover points without having a total of more than 6 points (the 1st year.), or 8 points (the 2nd year) or 10 points the 3rd year.

Germany

The DPS provides driver improvement courses, advanced driver improvement courses and traffic psychological counselling as elements of rehabilitation. If a driver has under 8 points he gets 4 points reduction, if he has 9-13 points he gets 2 points reduction in case of voluntary participation in a driver improvement course. Participation in a driver improvement course leading to point reduction is only permitted once in five years. If a driver has 14 - 17 points, the driving licensing authority orders the mandatory participation in a driver improvement course within a fixed time frame. If the driver participates, the regular procedure goes on (withdrawal when reaching 18 points). If the driver does not participate within the time frame, the driving licence is administratively withdrawn. The driving licence will only be re-granted after the offender proved the participation. An offender may additionally participate voluntary in traffic psychological counselling between 14 -17 points. He then gains a reduction of 2 points. Participation in measure leading to point reduction is only permitted once in five years.

Great Britain

The DPS does provide measures that include the element of rehabilitation. The participation in this measure is voluntary. There is no mandatory participation in a measure. A motorist can apply to attend a speed awareness course instead of receiving penalty points – usually when they have received a fixed penalty notice of 3 points. Only speeding within a certain number of miles over the speed limit will be considered. This also applies to careless driving.

Hungary

The DPS provides a training course. Under 12 points, driver may attend a follow-up training course to get 9 points deleted, having 13 - 17 points, only 6 points can be deleted by attending the course. It is possible once per year.

Italy

The DPS provides measures that include the element of rehabilitation. First of all, if the driver loses few points on the licence, but manages to behave correctly (that is no infractions for the following two years) the total score of 20 points is reintegrated. Moreover, up to 6 points (9 for professional drivers) can be regained after the attendance of a special course and a final exam organised by the national driving schools. Finally, but this can be considered more an “award” than a rehabilitation measure, if no offences occurred within two years, one can receive 2 extra points. The maximum score one can attain is 30 points. The law n.120/2010 introduced a final exam after the attendance of these courses to regain points.

Latvia

The DPS provides a road safety courses and tests. The participation in this measure is not voluntary. The participation in a measure is mandatory for drivers who reached 8 points. When drivers reach 8

points or 12 points (except novice drivers), drivers receive a letter to inform them of the number of points and requiring the driver to attend a course on road safety (when 8 points are collected) or theoretical and practical exam (when 12 points are collected). 2 points are written off after participation or passing the exam. Failure to respond to the notice or not passing the exam (within 6 months) results in two additional points.

Luxembourg

The DPS provides a rehabilitation course in order to recover points. A voluntary 7hr course can be taken every 3 years and 3 points are gained. A description of the system can be found online (Article 85):

http://www.legilux.public.lu/leg/textescoordonnes/codes/code_route/AGD_23_NOVEMBRE_1955.pdf

Poland

The DPS provides the road safety training which reduces the total number of points by 6 pts. The participation in this measure is voluntary. This training is not for young drivers (not in the first year of being a driver). The driver can take part in this kind of training 2 times a year, one training reduces 6 points. There is no other incentive. It is totally voluntary and the driver has to pay for this training.

Spain

There are two ways to recover the points:

- period of time without committing infringements (6 months)
- rehabilitation courses

Rehabilitation courses/training last 24 hours in total and take place in accredited training centres. It consists of 16 hours of theory and 6 of interaction. 12 hours are required to recover 4 points, while 24 hours are required to recover 8 points. So, to say it in other words, the points can be recovered in two distinct ways:

- attending a rehabilitation course;
- not committing offences involving loss of points in a period of 6 months.

Through these measures, Law 17/2005 intends to achieve its aims of rehabilitating offenders and raising awareness between them.

Participation in these courses, along with the fulfilment of other requirements and tests, allows the partial or total recovery of points. Normally, the participation to a rehabilitation course is voluntary and depends on the willingness of the driver to recover the points he lost (in this case, drivers can only attend these courses once every 2 years, except for professional driver who can take the course every year). However, if the driver has lost all his points, it is mandatory, in order to recover his licence, to follow these courses and pass the test again.

Denmark, Finland, Greece, Ireland, Malta, Netherlands, Romania, Slovenia

The DPS does not provide any measures that include the element of rehabilitation.

7.1.2 Opinions

This sub-chapter displays expert opinions about rehabilitation courses as part of a DPS and if they have any evidence for their opinion. Experts were also asked about their opinion about the possibility to participate voluntarily or mandatorily and the related consequences. Experts were also asked if a good system needs the chance to reduce the score from a certain level, by passing a particular course or other measures.

Austria

- 1) In Austria, this is the “Driver Improvement Course” = tightened and targeted measures. There are proofs about the effect of the “Speed”-Courses for drug offenders. Here, you can at least reason by analogy concerning their effects (DeVol, Rudinger & Hilger, 2011). Voluntary participation is to be assessed positively! The participant decided on a voluntary basis, so this can be evaluated to be positive. As well if someone takes part in the course due to self-interested reasons, that probably has an effect, too. The forcing of mandatory participation makes sense, however people have to go to a course – in any case, during the suspension of the driving licence, persons should be obligated to deal with the delict/problem in an active way. The current time system: points stay for 2 years, this should be kept.
- 2) I think that the measures are sensible – they can only be positive. Someone knows that s/he has a point – it does not exist in our district that someone voluntarily completes a measure – then s/he has to have a 2nd offence before having to complete a course. All the options that one provides a driver to improve her/his driving can only be positive. In Austria, a withdrawal follows when one does not participate in the measure. This is not unusual and it works. After the first violation, nothing happens at our end: voluntary basis can only be positive.
- 3) Rehabilitation measures are inevitable; I strongly believe that most of the people need assistance in handling traumatic experience. I consider getting punished, in particular if someone sustains injuries, as such a traumatic experience. Rehabilitations measures avoid a DPS from just being effective by chance. This is a sort of political compromise. To my opinion, each and every severe offence should be followed by rehabilitation; however, this is hardly affordable and politically not feasible. Voluntary participation is a reasonable way out of this dilemma. Rehabilitation has proved to be useful to reduce recidivist rates. Hence, ultimate execution is reasonable. As indicated above, if there are mental deficits, it is as reasonable to force their improvement.
- 4) Regarding learning psychology, Austria is not well equipped in these measures (I find the Austrian DPS questionable in general). No one has yet asked for measures to reduce points! The prices for such measures are rather too high, so that one is not interested in such measures on a voluntary basis. The system already penalises the road traffic participants enough.
- 5) Not a bad idea considering the effect of training. The driver could show his/her willingness and insight regarding the wrong behaviour. When a certain measure is not be passed, the withdrawal will last. After 18 months the driver will have to pass the practical driving test again. There is strong competition between providers for these courses (quality issues?). Hence, this issue is seen rather critically. Possibilities to reduce points by participating in a measure would be a good idea! Driver could show insight and willingness for a change.
- 6) Voluntary participation was already discussed relating to ‘mandatory monetary fine’ – there was no agreement about it. I am rather sceptic whether there are reasons for this working. The forcing of mandatory participation works.

Cyprus

Some changes in the law are planned. The possibility to participate voluntary is a good solution. The forcing of mandatory participation is also a good solution. It is planned to change the law – but no decisions are made yet.

Czech Republic

- 1) Usefulness of the measures would be much higher when better conditions applied – for some offences, the course should be obligatory, and there should be more types of courses adapted to various types of offenders. To assess the effectiveness of courses, it would be suitable to follow and analyze further behaviour of participants (whether they continue in committing the same

offences or not). In case of some type of offences (resulting from lack of skills) it should be obligatory. It is necessary to work with problem drivers and change their attitudes and behaviour; also drivers that commit offences because of lack of knowledge, skills or experience, should have possibility to improve. So possibility to reduce points by participating in measures aimed to knowledge, skills or attitudes is useful (if conditions are well set).

- 2) Results of various studies from abroad show that without appropriate psychological schooling, this type of training brings rather unreasonable rise of self-confidence. The drivers that reached high number of points and need to reduce it usually did not obtain the points because of lack of skills, but rather because of risky behaviour, wrong driving attitude. The effect of this type of training is therefore unsuitable for problem drivers; they need different type of measures. Optionality is debatable here – in fact, drivers are forced by circumstances to attend the training to avoid licence withdrawal. This type of training would be beneficial only in case of really voluntary participation, i.e. when driver decide to participate because he wants to improve his skills, not because he urgently needs to have some points deleted. The point limit for participation should be lowered from 10 points to about 6. Regarding the possibilities to reduce points, the driver whose amount of points is increasing has apparently a problem and it is good when he is motivated to do something with the problem. But it should be appropriate type of course and active participation. The courses aimed to knowledge could be useful if more broad knowledge is included (not only knowledge about rules, but also about accidents, causes and consequences of accidents, consequences of various types of behaviour etc.). As mentioned before, courses aimed only of improvement of skills are not suitable for problem drivers. Measures aimed to attitudes are beneficial. Problem drivers do not make offences because of lack of knowledge or skills, but because they enjoy it; it is caused by the attitudes. It is necessary to change their values, develop personal strategy how to avoid the relapse.
- 3) The measure is rather disserviceable; it only supports recidivism namely in case of more wealthy motorists. Flatly disagree with a form of deleting points, especially as it is set in the Czech Republic – the so called safe driving training only supports the self – confidence of problem driver. If the driver participates in the training repeatedly to delete points, it is obviously (well-off) recidivist that is not changing at all his behaviour. Generally, good DPS does not need possibility to reduce points by other means than deduction within fixed period. Other forms only support recidivism; even the courses aimed to change of attitudes would hardly have any positive influence on Czech drivers.
- 4) The measure is pointless regarding traffic safety and it is discriminating towards less well-off drivers. The system does not need a possibility to reduce points
- 5) Participation in the course is useful; regular obligatory training for all drivers is recommendable (about each 5 years, for professional drivers and people that need driving for their job more often). When reaching certain amount of points, participation should be obligatory Existing system is not well set, has rather commercial character, and needs to be improved. Courses should contain more elements concerning safe behaviour in traffic. Participation in measures aimed to knowledge – yes, the courses should have also warning character, traffic accidents should be presented here. Participation in measure aimed to skills – debatable; useful for novice drivers, but it could have also rather negative impact. Rather behaviour than skills should be aimed. Participation in measures aimed to attitudes – definitely yes, it is crucial; our drivers know how to drive, but their attitudes and behaviour are dangerous.
- 6) This measure is only commercial matter, not contributively for traffic safety. Participation should be obligatory in case of frequent involvement in accidents. Offenders can pay for participation in a course; but current courses are not in fact very much about safe driving, so importance for safety

is negligible. Knowledge aimed measures are needless, drivers have the knowledge, crucial problem is whether they want to obey the rules. Skills aimed measures are only commercial matter, maybe for novice drivers. Measures aimed to attitudes are useful. The participation should be paid; presentation of serious accidents should be part of it.

Finland

- 1) I have doubts about the effects of rehabilitation courses. The effects of rehabilitation courses on behaviour and safety are doubtful. The motivation for participation would concern more keeping of driving licence rather than desire to improve one's behaviour.
- 2) The effects of rehabilitation would probably remain small. It is also questionable whether public resources should be used for such courses. If offenders should pay themselves for rehabilitation, citizens would not be treated equally (some have the money it requires, others do not). The effect on behaviour of measures to reduce or fill up points is questionable. If the offender had to pay for courses, wealthy people would be in better position
- 3) Little evidence on the effects on safety. I doubt that many drivers would take voluntary courses if the same effect could be achieved by taking the similar optional course when it is required to avoid more unpleasant consequences. Regaining of points by participating courses should be possible only if there is evidence that they improve driving behaviour (at least temporarily)
- 4) To my knowledge, the effects of rehabilitation courses have been inconsistent. However, specific information about the contents and methods used in the courses is missing. Some of the (not promising) results are from the 1970s and 1980s. Regaining of points by participating courses should be possible only if there is evidence that they improve driving behaviour (at least temporarily).

France

Different programs exist but there is no way to screen in advance the drivers who want to attempt the course (see below) and hence, the group of a same course is too heterogeneous to display a program which fit to everyone. Before, the driver could only register to a course once every two years, in order to regain a maximum of 4 points. Since March 2010, it is every year. This is a political decision. Since, behaviours have worsened: there are more accidents and violations. Different target groups require different measures. Different programs exist

Germany

- 1) This would require a behaviour therapeutic measure. A pure driver improvement course is not enough to reach the objective. The offer is not attractive. I think little of an order to participate mandatory. Within the measure, the attitudes need to be treated. The pressure to participate only leads to short time changes. Behaviour only changes through a change in attitudes. This requires readiness to change which is only existent in case of voluntary participation. A change requires time. This is not the case in courses with 10 or more participants. A trustworthy relation to the trainer and the participant is most important. The question is who is suitable for which type of therapy. Different target groups require different measures. The group is too heterogeneous. A treatment needs to be tailored.
- 2) An order to participate is surely an adequate measure. A voluntary participation alone does not reach the goal. But the measure needs to prove a benefit for the behavioural change. Only then, the order by the legislator to participate mandatory is justifiable.
- 3) It is not useful to force someone to participate. It leads to an anti-position. Only a voluntary participation could bring a benefit. The threat to be forced to participate may have a deterrent effect, but deterrence is not the objective of the DPS, at least not fixed by law in § 4 StVG.

Deterrence is ensured by administrative and criminal law. A bonus for participation is not useful. One could buy a better position through this. This leads to a totally different motivation to participate as desired.

- 4) Participants gain a bonus although they participate with eyes shut.

Great Britain

- 1) Training is thought to be more effective than punishment. We have the approach of improving an attendee's attitude, behaviour and competence through education rather than enforcement. Many of the drivers who attend are not criminals, they have just made an error of judgement or are speeding habitually due to now knowing the ramifications of their actions, so we look to use the courses to enlighten them and improve their knowledge so they have the understanding and some additional coping strategies to deal with speeding issues. We commence with an introduction based around the facts behind speed related collisions and cover some aims and objectives for the delegates to get a clear understanding what part they play in the course. This intro also seems to settle the delegates down, as many have commented that they thought they were in for a tough time, thinking it was a course where they came under fire for being law breakers! This is followed by asking the delegates to identify speed for different roads and how to actually recognise each road type; you'd be surprised at the answers we get! As the session progresses we cover off the consequences of travelling a few miles per hour over the speed limit in the event of a collision with a pedestrian by looking at a sequence of slides depicting a collision scene where the driver was travelling at 39 in a 30 zone. We then discuss cameras, stating how many there are in a certain area and discuss their purpose. By this stage the delegates have seen that there is a need for some sort of enforcement to prevent further collisions in black spot areas, consequently there is very little push back on why speed cameras are sited. Throughout the presentation, the delegates are questioned on their views and knowledge of speed related issues. We try to take them on a voyage of discovery where they come to the conclusions themselves, rather than us drumming the issues into them with the big stick approach.
- 2) Evidence is somewhat equivocal about effectiveness and a review is needed. Recent evidence is encouraging. See report by Fylan & Stradling (2010), available online: http://www.driver-improvement.co.uk/resources/files/Final_report_on_Driver_Alertness_v11_.pdf.
- 3) The forcing of mandatory participation seems logical.

Greece

- 1) There should be sessions before the withdrawal of the driving licence to reduce the points. Voluntary sessions should exist for decreasing the points. The participation should be mandatory when the offender reaches a certain amount of points and he/she should pay for the sessions that he is attending. A good system needs the chance to reduce the score from a certain level, by passing a particular course or other measures.
- 2) Repeating the same courses does not lead to a solution. There should be targeted sessions in order to improve the driving behaviour. The offender already knows how to drive and most probably very good. Voluntary sessions should exist only if someone wants to decrease his/her points. Not when he has reached to top. The participation should be mandatory when the offender reaches a certain amount of points and he/she should pay for the sessions that he is attending.
- 3) The rehabilitation of the offenders should include special sessions. These special sessions should have a main core and then different courses in respect to the offence. The sessions should be focused on the serious offences and the offender should have exams in order to regain the drivers

licence. The participation should be mandatory. There could be voluntary sessions to reduce the points of an offender by having courses of Road safety, not the RSC!

- 4) I think the measures are not in compliance with the general scope of DPS. By making the offender repeat the same courses we punish him/her without any result in the driving behaviour. In order to regain the driving licence, the offenders should participate in mandatory courses and if they don't do this they will not gain the licence back.
- 5) I think the measures are satisfactory. I see the possibility to participate voluntary very positively. In such way, I realize the violation I have committed. I see mandatory participation as very positive. In such way, I realize the violation I have committed. Measures to reduce points are difficult to apply. It needs resources and a control system.
- 6) The measures are ok and serve their scope. The way the system is now is the most efficient and demands the minimum bureaucracy. Mandatory participation would be ok, but it needs to be planned very well.

Hungary

This measure is seen positively! The possibility to participate voluntary is seen positively! Measures to reduce points are seen positively and should be part of every "good" system!

Ireland

It has been considered at the moment that procedures will be implemented in relation to rehabilitation. This should be considered as they are effective in preventing people from re-offending. There is sufficient international evidence from UK, USA and Australia that it is effective. I do not think anyone would do the course if it was voluntary if it is an option that will be explored that speed awareness courses may be voluntary in lieu of penalty points. Where rehabilitation arises as a result of court cases they would be mandatory and drivers would be ordered to do so by the court. Measures to reduce points are only useful, if it shows people are not re-offending. No evidence for opinion, no facts about safety effects.

Italy

Our rehabilitation courses merely consist of information provided by driving schools. This is not very effective. The perceived lack of effectiveness brought to fraudulent declaration of attendance by some schools. It is very bad to get back the whole amount of the lost points simply avoid losing any point for two years. What is even worse is that the lawyer's objections can easily delay the registration of the lost points, and the two years rule applies on this delay as if there wasn't any infringement.

Latvia

These measures are sufficient. In the beginning there was a possibility to participate voluntarily in the Defensive Driving Course, but since attendance was very low, it was decided to apply mandatory participation to this course when driver has collected 8 points. Since it is mandatory to take the Defensive Driving Course number of attendants has raised for approximately 5 %, but still the attendance level is very low (approximately 10 %). It might be the case that consequences of missing participation are too low since only about 10 % of the drivers attend the course even though it is mandatory. Probably after considering the expenses (around 200 EUR) and time spent for the courses, driver concludes that two additional points is better choice. A good system should allow the drivers to reduce/fill up their point score by participating in a measure that improves knowledge and driving skills.

Luxembourg

These measures are preventive and educative. The possibility to participate voluntarily is an effective way to hold the driver responsible. Measures to reduce/fill up points increase responsibility of the driver and improve knowledge.

Malta

- 1) Rehabilitation programs should be introduced in the DPS. They should be obligatory when an offender reach a certain amount of points. Also there should be the option for those who would like to do the course voluntarily to reduce points. The possibility to participate voluntarily should be a beneficial to the Driver and for more Safe Driving on the roads. A good system needs the chance to reduce the score from a certain level, by passing a particular course or other measures (as already highlighted above).
- 2) Obligatory rehabilitation programs should be introduced in the DPS. The possibility to participate voluntarily will help the driver to gather experience. If there is missing participation without a good valid reason, either there will be the repetition of the course or redo the full driving test. Measures to reduce points will be beneficial for the Driver. This will help to refresh the importance of road safety.
- 3) Rehabilitation programs should be introduced in the DPS especially for serious offences and they must be obligatory. The participation has to be mandatory especially when the licence was withdrawn due serious offences. Re-do both tests. I agree to measures to reduce points. For example after to 2 years from 5 years have passed and one has gained some points, there should be the possibility to deduct / reduce points by doing an appropriate test. This will help to refresh the importance of road safety

Poland

This measure is insufficient. It is a good way to reduce points and to renew some knowledge and to sensitise the driver to road safety issues. Mandatory participation in rehabilitation courses is also a good solution which is planned to have in Poland – but no decisions are made yet. It is hard to say if a good system needs measures to reduce points.

Romania

I think that system with measures to reduce points could be useful in some aspects, but could also create legal loopholes that would be used to undermine the efficiency of the DPS

Spain

- 1) It is a good measure, as the driver needs to have different alternatives. Anyway there is room for improvement. It is to say that following the course (or the time required) the driver has to undergo a medical certificate. This should allow detecting problems that cannot be resolved through the course (alcoholics, psychopathology). These are problems differing from road safety. The solution might be: make a more thorough diagnosis before choosing a specific rehabilitation procedure. The possibility to participate voluntarily is good. The forcing of mandatory participation is good. Yes, a course to reduce points is a good measure. The important thing is to adapt the course to the type of problem (distraction, mistakes).
- 2) Courses need to last only 16 hours (remove the interactive part and keep only the theory and practice part – motivation, attitudes, cause and effects) and have an emotional and visual impact (moral dilemmas). In the same courses there are often different people with different cultural levels. In order to change attitudes is necessary to show the real causes of the accident and its consequences and moral damages. Offenders have to be impressed. In principle it is mandatory. But it would be better, firstly, to assess the type of person and the related risks and then decide how to proceed. In Spain, road safety education is not implemented in the school because the

courses are not effective and they have no impact on behaviours (e.g. the alcoholic needs a pharmacological and psychological treatment). These courses have to show the actual impact and have more emotional impact, not only theoretical training. However, the courses in Spain led to a reduction from 29 to 20 crimes.

- 1) The course is a very successful and positive measure that raises awareness and rehabilitation between drivers who have lost part or all of their points. In most of the cases drivers don't have updated knowledge of road safety regulations. A study realized by the National Confederation of Driving Schools with the support of the Institute of Traffic and Road Safety, shows that these courses had great between drivers who attended them. Drivers recognised that through the courses they could gain updating knowledge of road safety regulations. Experience has showed that mandatory participation in the courses is a good measure as it raises awareness and knowledge. A study realized by the National Confederation of Driving Schools with the support of the Institute of Traffic and Road Safety showed that drivers who attended rehabilitation courses were totally satisfied and underlined their usefulness.
- 2) The forcing of mandatory participation is good. The course is part of the system and is crucial because it enables people to think and become aware of their behaviour. In this way people realize that right to driving does not last all lifelong but it is temporary. The course is effective and has a deep impact on socially integrated people. On the contrary, it is not effective for non - socially integrated people (habitual offenders). The course led to a deep reduction in the number of victims.

7.2 Special Issue: Focus of the measure - improve knowledge and driving skills or attitude change

The rehabilitation measures can focus on different aspects. On the one hand, one can participate in a measure that improves knowledge or driving skills. These are measures that educate drivers when they often commit offences. On the other hand, one can participate in a measure that improves driving attitude and reckless driving due to weakness in character. It might be useful to involve psychologist in the change process.

7.2.1 Properties

For this chapter it was interesting to gather information about the content and the scope of the measures applied within the DPS. Questions were also related to the issue if there are target group specific measures.

Austria

Our systems offer driver improvement courses, road safety training, cargo securing courses, children securing courses, first aid courses and feedback drive. The different measures have to be chosen by the authority, with focus on the individual case, regarding which method fits best to work off the committed offences.

- Cargo securing course (Ladesicherungskurs): A one day lasting course that intends to impart knowledge regarding cargo securing and handling of dangerous goods (practical and theoretical part).
- Children securing course (Kindersicherungskurs): Consists of four teaching units that intend to impart knowledge of dangers to unsecured children in vehicles and also include practices.
- First aid course (Erste-Hilfe-Kurs): Intends to impart knowledge of how to do basic life support (at least 6 hours).

- Feedback drive (Feedback-Fahrt): Two coherent driving lessons in a driving school on public roads.
- Driver improvement course (Fahrverbesserungskurs): Consists of 6 hours group discussion to work off the noticeable traffic behaviour.
- Road safety training (Straßensicherheitskurs): A one day lasting security programme to improve the awareness of danger through experience of critical traffic situations.

Czech Republic

The course contains three hours of theory of safe driving, afterward it is practiced. The measure is aimed primarily on driving skills, practical handling of rules. It is not differentiated in relation to the predominant type of committed offence.

France

Our system provides the chance to reduce/fill up the point score by participating in a measure that improves knowledge. The training courses that offenders can attend to get 4 points are led by a psychologist and a driving instructor trainer for between 10 and 20 participants, and run for two consecutive days (16 hours). The first day is general focusing on the analysis of the causes of accidents. All types of offenders (speed, seatbelt, phone...) attend the same course but the trainers can choose on the second day a program concerning alcohol/drugs or exceed speed. The choice depends on the number of offenders in the course concerned by the alcohol/drugs or speed problem. There is no training concerning the handling of vehicle. The programs insist on self evaluation of one's behaviour and awareness of problem behaviours like aggressive driving, stress, alcohol, etc. They insist also on the respect of rules and of others. The pedagogical sequences are implemented in order to develop a motivation to change (behaviour diagnosis, analysis of influences, strategies to implement).

Germany

The driver improvement course contains educative elements to improve the drivers' knowledge, but it aims at changing attitude and behaviour. The driver improvement course also contains a feedback drive. However, this cannot be failed. It serves for reflection of the driving style. The driver improvement courses are led by driving instructors. There are target group specific programmes in so far that alcohol and drug offenders have to visit a different measure than offenders without alcohol. Alcohol and drug offenders have to participate in a special advanced driver improvement course. Special advanced driver improvement courses and traffic psychological counselling are carried out by especially trained psychologists.

Great Britain

The course described includes an element of knowledge. The type of knowledge included in the measure is related to the type of conviction. There are target group specific programmes; currently there is a course for speeding and a course for careless driving. The intention is to introduce courses of two broad types. 1) Offences committed deliberately 2) Offences committed inadvertently

Speed recognition course: AA DriveTech's one-day speed recognition course is designed for any driver that has accumulated six or more penalty points on their driving licence, as a result of repeatedly breaking the speed limit. It is aimed at educating drivers who are at risk of losing their licence through 'totting up' or being potentially convicted for excessive speeding at court. Some drivers use the final report as a practical demonstration of their intention to improve their driving, safety and avoid repeat offending.

Drivers break speed limits for a wide variety of different reasons. Our course aims to tackle the likely causes of speed by raising a driver's awareness of the associated dangers - both to themselves, their

passengers and other road users - as well as the potential and real consequences of speeding. Drivers are far more likely to accept and conform to recommended limits if they understand the reasoning behind speed limits and how to identify and distinguish between the limits imposed on various roads types and different road vehicles.

The first part of the training includes an inter-active presentation and discussion with the driver. This covers such topics as visual, hazard & knowledge perception as well as assessing the driver's attitude and knowledge level. In addition, it looks at key risk areas associated with driving on today's roads and why excessive or inappropriate speed is a factor in more than 33% of all road collisions.

The second part of the course takes place behind the wheel - either in your own vehicle or we can provide one at additional cost. It includes an assessment drive to identify the driver's strengths and weaknesses. These characteristics, or driving habits, are then discussed and new techniques suggested complete with associated benefits. The trainer will then illustrate these advantages through a demonstration drive*, together with a commentary, showing and talking through the advantages and benefits of adopting a new approach. This session will also help identify the varying speed limits and key risk areas that the driver encounters. Again, the driver is given the opportunity to apply the new techniques with another period of on-road training tailored to achieve their personal, and the course, objectives.

At all times, the trainer will assess and suggest improvements to the driver's hazard and accident perception and offer practical and useful advice.

At the end of the final on-road session, the trainer will go through a thorough debrief of the day discussing what will be included in the final typed report and ensuring personal and course objectives were met. The driver will be asked to complete a Course Evaluation Questionnaire in order for AA DriveTech and the driver to monitor the effectiveness and quality of the course.

Each course attendee is sent a comprehensive typed report and certificate that can be 'fast tracked' for those drivers attending court.

Italy

You can attend special courses provided by driving schools. There are no courses set up to improve driving skills to regain points. Those provided by driving schools are courses to improve basic driving knowledge.

Latvia

The *Defensive driving course* consists of two parts; a theoretical part (10 lessons (1 lesson=45 minutes)) and a practical part (6 lessons). The *theoretical part* includes:

Technical topics (how driving speed influences safety, accident possibility etc.)

'medicinal' topics (how fatigue, alcohol, drugs etc. influence driving abilities, etc.)

Reaction time in unexpected situations, braking distance depending on vehicles' tyres, skidding appearance in the straight road stretches aquaplaning etc.

During the defensive driving courses importance of safe and careful driving is explained. Information about consequences of aggressive driving and speeding, driving under the influence of alcohol and drugs is presented. The content of the course is the same for all offenders and is not necessarily related to the type of conviction.

Luxembourg

Drivers may follow a one-day course at the official training centre. If there is a practical element in both courses, the goal is not to improve driving skills, but to demonstrate to the driver physical limits. There are target group specific programmes: alcohol, drugs, general.

For details (Article 85) read online:

http://www.legilux.public.lu/leg/textescoordonnes/codes/code_route/AGD_23_NOVEMBRE_1955.pdf

Poland

The training for a driver with a record of demerit points for infringing road traffic regulations includes the following topics:

- causes of road accidents on the background of road safety,
- legal and social effects of road accidents,
- Psychological aspects of driver behaviour in traffic.

These topics are presented in the form of lectures by policemen and psychologists in the frame of 6 sessions of 45 min. The safety training does not improve driving skill since it is only a theoretical one.

Attitude or character problems are not in the main focus of the training however there is a discussion during the training about psychological aspects of driver behaviour in traffic – but only in general.

Spain

- 1) Our system provides the chance to reduce/fill up the point score by participating in a measure that improves knowledge. The program is general but can be adjusted and tailored according to the offences. The course contains individual aspects and addresses the specific issue that has lead the driver to lose his licence. These courses are common to all drivers (talk about culture and road safety education, encouraging discussion and reflection) and specific topics for each driver.

7.2.2 Opinion

Experts were asked if a good system needs the chance to reduce/fill up the point score by participating in a measure that improves knowledge, driving skills or attitude. They were also requested to say their opinion about target group related measures.

Austria

- 1) The ‚close to project‘ in Styria: drivers involved in accidents come for driver improvement course and tell their experience (consequences) – that is to be further welcomed as a peer group education process. Goes beyond the theoretical knowledge. The knowledge transfer should be found in the measure according to the offence. Driving skill courses should be welcomed. Everything that has to do with practice and personal experience is pedagogically valuable – better sustainability. Basically target group specific programmes are good – the more the practice/experiences in forefront the better.
- 2) „It is the will not the skill“. We need measures to achieve the will. Knowledge is needed, however the will / the motivation has to be given, which is a difficult task. “Motivation to comply” – social norms and one’s own norms and the motivation to stick to the norm, if motivation is not given – one won’t stick to the norms. Concerning a measure addressing to rules / norms, motivation is needed. “Driver improvement course”: “group dynamics: individuals talk about the volitional malpractice in the group and the group has an essential “regulating” effect on the individual”. For special offences skill play certain role – e.g. cargo severe. But the central point is the WILL. Measures have to be matched to the target group/delict group. The points in a DPS should be the same for everyone; however measures need adequate adjustment to the clients.
- 3) In general in road legal terms: not only awareness building but also awareness raising (regulations, new changes in road laws etc.) is to be welcomed. Everything that helps should be welcomed – it is often not implemented enough, as the legal basis is missing: public authorities have max. one paragraph stating: knowledge sharing ‘101 Austrian Road Code’ participation in

road education. A measure to improve attitudes should be welcomed; a good system needs the chance to reduce /fill up the point score by participating in a measure that improves driving attitude and mentality.

- 4) As indicated above, if there is a lack in knowledge, it is reasonable to force improvement. If there is a lack in skills, it is reasonable to force improvement. If there is a lack in attitudes, it is reasonable to force improvement, if there are suitable and approved measures available. The better a measure suits the purpose, the better the system. This includes consideration of specific target groups.
- 5) Entry in Austrian DPS should remain in addition to courses– as exists presently in the system. Courses that improve driving skills would be an issue for elderly drivers, but politically sensitive. The system must include unconditional and conditional withdrawal measures. E.g.: 1 Offence: 1-2 months licence withdrawal and retraining, with one year open file (conditional/suspended). By 2nd offence 6 months unconditional and then 2 years conditional. Persons who know they have an open file (conditional/suspended fine) behave differently!
- 6) Offence-related measures would be sensible. The measure would have to match the offence. Related to practice Cargo securing: exercises Driving practice: What are the effects of (technical) changes on the car (Roadrunner). Such an option would be sensible and could improve the future driveability.

Czech Republic

- 1) Current system does not work at all with problem groups of drivers. Their attitudes, knowledge and skills are not changed, behaviour in traffic remains, according to statistics, problematic after licence restoration. Creation of specific programmes would be beneficial for traffic safety.
- 2) There should be specific programmes for alcohol and drug offenders, they need to be treated specifically. Other differentiation with regard to the committed offence is not very important.
- 3) Yes, there should be specific programmes for target groups and they are part of prepared arrangement of driver's education and licensing system.
- 4) Yes, there should be programmes for specific groups.

Cyprus

Maybe it will be changed.

Finland

- 1) No, a system does not need such measures to improve driving skills or knowledge. The effect on behaviour is questionable. If the offender had to pay for courses, wealthy people would be in better position.
- 2) No, a system does not need such measures to improve driving skills or knowledge, not as a general measure. Some offenders could benefit of additional knowledge regarding the effects of behaviour (e.g. speeding) on accident risk. Little can be achieved by trying to affect attitudes. Some groups (e.g. those who have insufficient skills or experience) could benefit from targeted courses.
- 3) No, a system does not need such measures to improve driving skills or knowledge. I assume that lack of knowledge is seldom the reason for bad behaviour. I do not assume that a measure that aims at improving attitude has any significant effect on behaviour. Targeted courses e.g. for drunk-driving offences could be useful for some of the offenders. More research is needed to define the group of drink-driving offenders who would benefit from rehabilitation courses. Those who have

committed speeding offences could benefit of increased knowledge about the effects of speed on safety.

- 4) No, a system does not need such measures to improve driving skills or knowledge. However, a measure to improve attitudes is the only possible type of education that could have some positive effects if it focused on the improved identification of the interaction between the given behaviour/offence and safety risk. In some quite rare cases, target group specific programmes could be beneficial. For example, if the offences show that the driver does not understand the interactions in traffic, a specific programme could be useful.
- 5) Are target group specific programmes really an issue for DPS if most offences concern speeding (Bak-Gajda, 2008)?
- 6) For some of those who have repeated speeding offences, information about the effects of speed on safety could be beneficial? There is lots of disinformation about the effects of speed. Are the rehabilitation courses for drink-drivers really effective

France

Two modules exist for the second day: one targets the speed offenders and one the driving under psychoactive substances. These both propose for behaviour modification, and are set in a logic of harm minimization. Difficulties are to screen previously the profile of offenders as the application to the course is voluntary. The trainers choose the module (excessive speeding or driving under psychoactive substances) according to the majority of the type of offences committed by members of the group. The program has to target the motivation to change behaviour. It is difficult at the moment to orientate the course towards psychoactive substances use, because all drivers are mixed, whatever their violation profile is.

Germany

- 1) Theoretical lessons are not necessary, practical training could make sense.
- 2) The problem is not in their legs, it's in their head, but it is not about lacking knowledge. The target-group specific design of measures could be an approach for optimization.
- 3) Practical training could be useful. It should be ensured then, that the training focuses concrete on risky behaviours, e.g. by training how to brake. The training should not be carried out in real traffic, but in test areas, like safety trainings. The tasks could be designed individually and target group specific in case of reoffending with the same offence. There should be no criteria for successful completion, the experience counts.
- 4) Within the measure, the attitudes need to be treated. Behaviour only changes through a change in attitudes. This requires readiness to change which is only existent in case of voluntary participation. A change requires time. This is not the case in courses with 10 or more participants. A trustworthy relation to the trainer and the participant is most important. The question is who is suitable for which type of therapy. Different target groups require different measures. The group is too heterogeneous. A treatment needs to be tailored. I assume that the provision of target group specific programmes could be difficult. There would be a need to train the trainers. Additionally, there would be difficulties to find enough participants for one specific measure

Great Britain

Knowledge may be useful if it changes attitudes and leads to more positive behaviour. Knowledge gained not assessed as yet. Target group specific programmes seem to make sense.

Greece

- 1) A good system needs the chance to reduce /fill up the point score by participating in a measure that improves knowledge and driving skills. Simulator and driving circuit. Psychological sessions are also needed. There should be target group specific programmes. According to the learning experience and the offence.
- 2) There could be voluntary sessions to reduce the points of an offender by having courses of Road safety, not the RSC! Courses in a simulator could also be helpful. There should be target group specific programmes: Alcohol offenders, novice drivers, elderly and based on the offence.
- 3) Such measures are difficult to apply. Needs resources and a control system. Measures that improve attitudes are positive, but difficult to apply. There should be target group specific programmes.
- 4) No, a system does not need such measures; it would only add bureaucracy. No, there is no point in target group specific programmes, it would only add bureaucracy.
- 5) There should be target group specific programmes: Alcohol offenders, speed, professional drivers and special courses based on the offence.
- 6) There is no point in target group specific programmes. The sessions should include general things about traffic safety and serious offences that may cause fatal accidents. The point of the courses is not only to educate the offenders how did serious offences, but also to anticipate the other drivers how have low offensive behaviour from causing an accident.

Hungary

Safety problems are not so much about lack of knowledge or a lack of skills. Safety problems are primarily about lack of adequate attitudes, hence this should be the main objective of courses! These courses should definitely be target specific!

Ireland

- 1) Such measures are only useful, if they show people are not re-offending. It shows they are successful. In Ireland we target groups through road safety education.
- 2) Yes, a good system needs the chance to reduce /fill up the point score by participating in a measure that improves driving skills. It has been looked at for novice drivers. It would improve driving skills. Most drivers once they pass test never get opportunity to improve driving skills and this could be a good opportunity. Only safety facts exist from UK, USA and Australia.
- 3) There is no information on a measure that improves attitudes. I am not familiar with attitude and mentality courses.

Italy

Research demonstrated that those drivers who learned how to come out from a difficult situation are more prone to enter in such risky behaviours. A measure that improves attitudes would be fine, as demonstrated by sound researches. But unfortunately this does not apply in Italy, with the exception of the province of Bolzano, influenced by the Austrian praxis.

Latvia

Courses to improve drivers' knowledge and safe driving skills are necessary. The possibility to reduce the points is a good motivation to attend the courses. It might be useful to involve psychologist in the education process. There are only around 820.000 licence holders in Latvia, it would be impossible to complete a group for courses if offenders would be divided in the target groups. Already now there is problem of completing the group in smaller cities of Latvia due to lack of participants. Therefore most common safety topics are included in the course (speeding, driving under the influence of alcohol and drugs, aggressive driving etc.) and presented to all offenders.

Luxembourg

A good system needs the chance to reduce /fill up the point score by participating in a measure that improves knowledge. Because it gives a second chance to the driver and it holds him responsible. A practical element can be useful for the demonstration of the physical limits of the vehicle. Driving skills are not required to drive within the rules. Because being a good driver is a matter of attitude and not of skill. The measure is orientated to act on the specific traffic related problem behaviour of the offender.

Malta

- 1) A good system needs the chance to reduce /fill up the point score by participating in a measure that improves knowledge. It should be explained to the driver what consequences may happen with his dangerous driving. A good system should offer the drivers a possibility to reduce/fill up their point score by participating in a measure that improves driving skills. It can be a valid idea so the drivers gather practical experience. A good system needs the chance to reduce /fill up the point score by participating in a measure that improves driving attitude and mentality. It can improve the attitude of the driver on the road.
- 2) A driving skill course would be a great beneficial to safety on our roads.
- 3) The most important is to change the mentality of the Driver.
- 4) Yes, a good system needs the chance to reduce /fill up the point score by participating in a measure that improves driving attitude and mentality. Some accidents occur due to driving attitude. Every initiative to improve and secure safety on the roads should be introduced.
- 5) Target group specific programmes are definitely positive for a good system. The Programs should be for a Target group.

Poland

It's hard to say. There is a proposition of law changing regarding the safety training for a driver with a record of demerit points which includes driving skills. Aspects of attitudes are very important; they should be included in the training even though the attitude change is not an easy issue. It is important to have specific programs for alcohol and drug offenders different than for others like speeding, elderly drivers 50+ etc. Alcohol and drug offenders are usually people with addictions and similar problems and special program can help them with their problem as well as make them aware of the problem.

Spain

- 1) Yes, a good system needs the chance to reduce /fill up the point score by participating in a measure that improves driving skills, but it can be improved. It needs more specialized way to work on the knowledge and change in habits of offenders. For example according to some European programs, people who have caused accidents tell their experience in the driving schools (more efficient than victims' speeches). Moreover offenders should help victims (hospital, associations). In all these cases, authorization is required.
- 2) Yes, the system has personal and social impact and encourages people to improve their behaviours. People will be notified of the loss of points and suggested to attend a course.
- 3) There is a change in drivers' attitudes and behaviours if the professor works on values, moral dilemmas and their consequences.

7.3 Special Issue: Criteria for passing / failing a course

Possible criteria for passing/failing a course can be: simply being there, paying attention, passing a test, being sober, etc. This might need to be adapted to the particular goal of the course. There should be a definition of rules for assessment. Obviously, simply being there may not be a good option.

Knowledge- and skill-oriented measure could include parts of the driving test or a test which particularly refers to the goal of the course. For rehabilitation courses assessment might be more difficult and could be biased by personal relations. Hence, transparent rules are needed. For alcohol- and drug related courses, being sober at any of the events should probably be mandatory.

7.3.1 Properties

For this chapter it was interesting to gather information what the criteria are for passing a course successfully and what the consequences are if the offender fails the course. The conditions under which a course can be made again are also described.

Austria

The driver has to participate properly; otherwise the licence will be withdrawn until the course is passed properly. If a course is failed, there is no fixed period when the course can be made again, so the driver is free to start with the next one right after the first has been failed.

Czech Republic

The criteria for passing a course successfully are being there, paying fee, passing theoretical and practical part and final discussion. There is no test. When the driver does not stay, points are not deleted.

France

Attendance is enough for passing a course successfully. No passing criterion is mentioned in the response.

A course can be made again one year later.

Germany

There are no official criteria. Some course providers establish them themselves. A course can only be made once in five years.

Great Britain

Criteria are not known, but to pass a course successfully you have to appear, been present and not disruptive. A consequence if the offender fails the course is to receive the points he hoped to avoid. They cannot be made again. Also the course can only be done once every 3 years for different offences.

Greece

The criteria are the same with the person without a driver's licence. If the offender fails the course he/she has to be examined again. It can be made again until the exams are passed.

Italy

The criteria for passing a course successfully are: attend the course, do not exceed a certain number of absences, pass the final exam.

The recovery of 6 or 9 points, depending on the category, should be subject to a final examination. As for now, however, there is no information on the examination procedures.

Latvia

In order to receive 2 point reduction, the course on road safety (when 8 points are collected) just has to be attended within six months.

The theoretical and practical exam (when 12 points are collected) has to be passed successfully within 6 months. In order to pass the theoretical exam it is necessary to give correct answers to 18 out of 20

questions in 20 minutes. In order to pass the practical exam, driver has to drive through the specific route following the rules of safe driving.

Failure to attend the course or pass the tests (within 6 months) results in two additional points.

If one fails to pass the test, it can be done not sooner than the next day.

Luxembourg

The criterion for passing a course successfully is active participation.

Poland

Simply just being there is required.

Spain

There is a questionnaire. The students attending rehabilitation courses must perform the activities proposed by the trainer. If the student does not comply with the course's rules he has to attend the course again. In case the driver needs to attend again the course, he can do it whenever he prefers.

7.3.2 Opinions

This sub-chapter shows expert opinions about criteria for passing a course successfully and if there is any evidence for their opinions.

Austria

- 1) It works the way it is.
- 2) In Austria there are handbooks how the successful attendance of a course is defined. The exchange within the group plays an important role here.
- 3) The public authorities are left out. The providers of driver improvement decide themselves. The public authorities receive a confirmation that the participant 'successfully' participated. Thus the public authorities have reduced their work in only receiving a certificate of participation. To do otherwise would be barely doable. The institutions are authorised by the ministry. There is no thoughts whatsoever on this current process.
- 4) In principle, it is only natural to accept only "successfully" completed measures. However, reliable and objective criteria have to be defined.
- 5) The current regulation is believed to work appropriately BUT: there are counterproductive phenomena – e.g.: very often, there are only sessions with one participant because many providers (competition!) do not manage to pull a whole course group together.
- 6) The contribution, not just the attendance is mandatory. If the offender is just present without participation, the licence will be withdrawn as long as the course will be passed properly.

Czech Republic

- 1) It would be more suitable to differentiate the course according to various types of offences. There should be also a final test.
- 2) Present criteria are not sufficient; there should be a test included or at least a questionnaire or a personal interview.
- 3) The course is useful for non-problem driver; in current arrangement it improves his skills. Nevertheless, I disagree with deleting points for participation in the course.
- 4) The criteria should be more related to causes of accidents.

Finland

- 1) Instead of rehabilitation courses, personal talking-to by police officer when issuing withdrawal of driving licence (instead of sending information by mail) should be favoured especially when dealing with novice drivers.
- 2) An exam controlling the adoption of knowledge at the end of the course could be useful.
- 3) No, I believe criteria for passing a course successfully would not be beneficial.
- 4) If such courses are part of the system there should also be passing criteria to make sure that the participant has adopted the information as intended.

France

A new regulation must define new criteria:

- respect of hours; complete all course
- participation with interest
- non use of psychoactive substances

Germany

- 1) The success of a measure can only be evaluated by the trainer. Probably the classic medical psychological assessment should be made at the end. It's an approved procedure. A driving observation is difficult to be standardized.
- 2) A driving test is senseless, as the problem is not in the legs, but in the head. The trainer should have more power, so that he could exclude persons who are not interested. The compliance to rules is the problem of the offenders.

Great Britain

- 1) Criteria for passing a course successfully may not be sufficiently demanding. There is no evidence for my opinion.
- 2) Willingness to learn is likely to vary and a half day attendance may be thought undemanding.

Greece

- 1) Passing exams has no importance. The attendance in a very demanding session is more important.
- 2) As the criteria for passing a course successfully are now they are pointless.
- 3) The criteria should be in accordance to the session. There is no point in repeating the typical driving lesson and the exams as it is now in Greece. The sessions and the exams should be focused on road safety and the offence.
- 4) Criteria for passing a course successfully are not well established as they are now in Greece.
- 5) Examination should frequently take place.
- 6) The system that is implemented in Greece is the simplest one and it is used in order to verify the homogenous procedure at the driving exams.

Italy

Unfortunately, in Italy the simple and passive attendance to the course (if not the fraudulent declaration of attendance) is enough to get the related amount of points back.

Latvia

Participating in the course is a sufficient way to evaluate driver's skills and knowledge.

Malta

- 1) To pass successfully you should complete the entire course and reach a certain degree of knowledge.

Poland

Some kind of exam would be a good solution, or active participation. Because it makes people be active in the training and to care more about the issue of road safety as well as their problems regarding the offences.

Spain

The criteria currently established to pass the course seem accurate and reasonable. Without imposing any limit or restriction, the courses would not seem serious.

7.4 Special Issue: Consequences related to points

This sub-chapter presents information about the amount of levels of consequences (warnings, program participation, and licence withdrawal).

7.4.1 Properties

In the following, it is described how many levels of consequences (warnings, program participation, and licence withdrawal) do exist and how the relation to the amount of points reached/offences is done. Information on costs is provided, as well.

Austria

At the first level registration (a point is given) takes place, a fact about which the driver will be informed. At the second level the driver has to pass one of the courses. At the third level the driving licence will be withdrawn. The driver has to bear the costs of the courses on his own, which range from about € 100 to about € 250.

Cyprus

As a consequence, just licence withdrawal based on court decision exists.

Czech Republic

There are no warnings or obligatory programmes as levels of consequences. After reaching 12 points, licence withdrawal follows, for one year. The withdrawal is reported to the owner by administration immediately. The driving licence has to be given over until 5 days after receiving the notification.

Denmark

Two levels of sanctions exist: Conditional withdrawal and unconditional withdrawal. No warning letters are sent.

Finland

There are several consequence levels in DPS:

- withdrawal of licence (can be also conditional)
- warning (instead of withdrawal)
- reminder (letter sent to drivers when next offence can lead to withdrawal of licence)

France

There is a withdrawal of driving licence when all points have been lost.

A letter is sent when there are only half of the points left (6 points).

A letter is sent each time a violation has been recognized and has produced a loss of points: on this letter, all the history of the drivers' points is mentioned.

A letter is sent when the driver recovers all his/her points.

A letter is sent when points are recovered through a mandatory/voluntary course.

A letter is sent when the licence is withdrawn because all the points have been lost.

Germany

There are three levels of consequences:

8 - 13 points: Warning letter of the driving licensing authority with the remark that the driver participate voluntary in a driver improvement course and the information that in case of voluntary participation, the driver can reduce his points.

14 - 17 points: the driving licensing authority orders the mandatory participation in a driver improvement course within a fixed time frame. If the driver participates, the regular procedure goes on (see below 14-17 points and 18 points). If the driver does not participate within the time frame, the driving licence is administratively withdrawn. The driving licence will only be re-granted after the offender proved the participation.

When reaching 18 points upwards: There is a withdrawal of the driving licence for at least 6 months. The driver has to pass a medical psychological assessment, before the licence is re-granted.

Great Britain

Drivers reaching 12 or more points in 3 years are disqualified for a minimum of 6 months. New drivers are disqualified if they get 6 points in 2 years.

Greece

Two levels of consequences exist.

There is a warning in the completion of 15 points and licence withdrawal in the completion of 25 points.

Hungary

The licence is suspended when 18 points are gained during 3 years. Notification letter is sent when 14 points are gained.

Ireland

First the driver pays the fine, and then he gets the points, once accumulate to 12, there follows the loss of licence. There are no costs.

Italy

Only one level of consequence exists, that is licence withdrawal if drivers lose the whole amount of points on their driving licence. In this case the offender is obliged to repeat the driving exam and pass it to have the licence back.

Latvia

The final consequence is licence withdrawal. Several warning/information letters precede this:

When drivers reach a total of 4 points they receive a warning letter informing them about the points on their licence and inviting them to drive carefully to avoid receiving more points.

When they reach 8 points, drivers receive another letter to inform them of the number of points and invitation to attend the road safety course.

When they reach 12 points, drivers receive another letter to inform them of the number of points and notify that the driver has to pass theoretical and practical test.

When they reach 16 points, drivers receive another letter informing them about their driving licence withdrawal.

Luxembourg

Two levels of consequences exist.

- There is information given about each loss of points.
- There is a withdrawal when losing all 12 points.

There is a voluntary one day's course to recover 3 points which costs +/- 280 Euro.

And there is a mandatory five day's course to recover driving licence which is +/- 600 Euro.

Netherlands

One level of consequences exists.

Poland

There is only one level of consequences: after reaching 24 points, the licence is withdrawn.

Romania

The consequence of reaching 15 penalty points is a licence suspension for 30 days.

Spain

Maximum credit is 15 points. Each driver begins with a credit of 12 points, but in case of novice drivers (with less than 3 years of experience) they start with 8 points. Drivers who have previously lost their licence start with a credit of only 8 points.

7.4.2 Opinions

Experts were asked about their opinion about the amount of levels of consequences and how many levels they would prefer. Evidence of the experts' opinion should be given.

Austria

- 1) Basically, the way it is works. An evaluation of this current solution would be useful. It should not be made more complicated.
- 2) The sanctions and measures should depend on the offences.
- 3) The complicated system should be simplified: 1. Points; 2. Measures; 3. Withdrawal.
- 4) For a long time there was no system. When one changes it, he/she has to change the whole system. One can pose the question, whether he/she can participate in a voluntary measure already at the first offence in order to avoid collecting points. Another consideration is a general extension of marking points for 5 years.
- 5) Three steps are suitable: 1. 1st Entry into DPS; 2. 2nd entry → Measures; 3. 3rd entry → Withdrawal
It works well the way it is.
- 6) Preferably, three levels should exist: 1.Registration; 2.Measure; 3.Withdrawal.

Czech Republic

- 1) There should be warning letters. Some drivers do not realize that they already have some points obtained and do not adjust their behaviour, so one of the purposes of system (prevention) is weakened.

- 2) There should be at least warning letters, drivers often do not realize that they got some points; moreover, an official letter itself has an alarming effect.
- 3) There should be warning letters and an obligatory participation in a programme.
- 4) At least, there should be warning letters. Driver should be informed at each ascribing of points.
- 5) Preferably, there should be more levels of consequences.
- 6) Warning letters should exist; this is especially important for professional drivers.

Finland

- 1) There are several (and enough) levels in the current system:
 - Withdrawal of licence
 - Warning (instead of withdrawal)
 - Reminder when the next offence may lead to a withdrawal (warning letter)
 - Written or oral admonition (for single offences instead of punishment)
- 2) The current system is quite good.
- 3) Warning letters (after every new offence in the driver's DPS account) might be useful reminders of the importance of adequate behaviour and consequences of repeated offences. The effects of program participation are doubtful. Fear of driving licence withdrawal is a major deterrence for many but not necessarily for all drivers.
- 4) Each driver should be allowed to check easily the current number of points.
- 5) The current system functions fairly well, but an introduction of an actual point system could give more options for development of consequences.

France

The letter after the loss of 6 points has been added recently in order to avoid cancellations due to lack of information on the points remaining. We hope so to decrease unlicensed driving because the drivers will be more ready to react before their licence is cancelled.

Novice drivers (on the first year) may lose their licence at the first 6 points-violation. Then, they don't have any warning level.

Germany

- 1) It does not need more levels than as we have in Germany. Two measures are surely enough. The second level should be a warning letter with the advice to do a voluntary therapy.
- 2) In the first phase, nothing should happen. Then there should be a warning level and afterwards the licence should be withdrawn. Hence, the licence should be withdrawn after three very severe offences. In Germany the pointing is much differentiated. Actually, it would be useful, only to differ between severe and very severe offences and count these offences. This would automatically lead to a reduction of offences involved in the catalogue.
- 3) Three levels are enough, but actually there are four levels. The first level between 0 and 8 points is also a level.
- 4) Three levels are useful in the sense of deterrence of the DPS. The third level is normally not reached, this means that for a majority the deterrence effect is reached. The levels are enough. Every further level would lead to an additional burden for the administration.

Great Britain

Licence suspension or withdrawal can be a drastic result for some people; a warning might be good enough to bring it home to people.

Greece

- 1) The amount of levels of consequences is ok as it is now in Greece. The system could be automatic, by sending mail or message to the offender who could also see his points from a web-system using a password.
- 2) The amount of levels of consequences is ok as it is now in Greece. The system is theoretically good. Only the notification way could be improved by being done automatically (mail or message).
- 3) A letter with the offences points should be given to the offender by the traffic police personally.
- 4) The amount of levels of consequences is ok. The users should be able to see their points electronically.

Hungary

The first notification at 14 points is quite late! It would be better and more instructive/preventive to send letter(s) earlier. However, Hungarians can query their point account on a police website.

Ireland

The amount of levels of consequences is ok. The system is working.

Latvia

Letters are sent out often enough and this assures that drivers are informed about the number of their points. The amount of the levels of consequences is reasonable.

Luxembourg

The amount of levels of consequences is appropriate.

Malta

- 1) 3 to 4 steps would be ideal
- 2) 3 steps would be ideal.
- 3) 2 to 3 steps would be ideal. It should be determined by the type of offence. The licence has to be withdrawn.

Poland

It should be a three level system: warnings, program participation, licence withdrawal. Unfortunately we do not have any evidence.

Spain

It is necessary to have a lower level of points and more restraint.
The normal driver should start with 15 points.

7.5 Summary and overview

In the frame of the DPS, in 13 countries, the DPS provides measures which include the element of rehabilitation (see table 9). Some of them are voluntary, some are mandatory. In all countries where information about the course content is given the focus is on driving knowledge (see table 10), although most of the experts see the importance of attitude change in a rehabilitation course. In 5 countries, there are special programs for different offences; three of them provide special courses for drug and alcohol offences. Regular attendance and sometimes an exam afterwards are criteria for passing a course. The number of levels of consequences differs between the countries. However, many countries have two levels: after a certain amount of points the offender receives a warning; after reaching the maximum amount of points, the licence is withdrawn.

Some experts say that the measure is pointless regarding traffic safety because there is little evidence on the effects on safety. A reason could be that the group of a same course is too heterogeneous to display a program which fit to everyone; therefore, target group-specific programs are demanded. Measures may also be discriminating towards less well-off drivers. Some experts say that the system does not need a possibility to reduce points. Other experts point out that training is thought to be more effective than punishment and it should require a focus on attitude change, because a pure driver improvement course is not enough to reach the objective. Most of the experts agree that a warning letter is a useful measure and should be included in the DPS.

Table 9: Overview of countries applying rehabilitation measures vs. not applying them

Countries	Measures with rehabilitation	
Austria	Yes.	Driver improvement courses for different offender groups
Bulgaria	Yes.	Additional training
Cyprus	No.	Periodically, road safety lectures are organized by the Traffic Department (optional attendance), for drivers with 7 or more demerit points. The response was poor.
Czech Republic	Yes.	One day safe driving training
Denmark	No.	
Finland	No.	
France	Yes.	Demerit points system sensitization courses
Germany	Yes.	Driver improvement courses, advanced driver improvement courses, traffic psychological counselling
Great Britain	Yes.	Training course, Speed recognition course
Greece	Yes.	50% of the theoretical courses, theoretical and practical test
Hungary	Yes.	Training course
Ireland	No.	
Italy	Yes.	Special course and a final exam
Latvia	Yes.	Road safety courses and tests
Luxembourg	Yes.	Rehabilitation course
Netherlands	No.	
Malta	No.	
Poland	Yes.	Road safety training
Romania	No.	
Slovenia	No	
Spain	Yes.	Public awareness and road safety re-education course (plus established tests when losing all the points)
Total	Yes: 13; No: 8	

Table 10: Overview of the mode of participation and focus of the measure

Countries	<i>Voluntary vs. mandatory</i>	<i>Skills</i>	<i>Knowledge</i>	<i>Attitude</i>
Austria	M	X	X	X
Bulgaria	V.	No explicit information.		
Czech Republic	V	X	X	
France	V/M*		X	X
Germany	V/M	X	X	X
Great Britain	V	X	X	X
Greece	M**		X	
Hungary	V/M**	No explicit information.		
Italy	V		X	
Latvia	M	X	X	X
Luxembourg	V	No explicit information.		
Poland	V		X	X
Spain	V/M**	X	X	X
Total (13)	V:9 / M:7	6	10	7

* For young drivers

** As re-granting procedure

8 Licence withdrawal

This chapter provides information about issues connected to licence withdrawal, i.e. the amount of points and the minimum amount of offenses which lead to licence withdrawal. Additional information concerning the period of licence withdrawal and measures beyond withdrawal within the scope of DPS is presented. Further information is given regarding the re-granting procedure.

8.1 Special Issue: Licence withdrawal when reaching a certain amount of points

Licence withdrawal is a core element of DPS. After a defined amount of points or offences, respectively, the offender's driving licence can be withdrawn. Licence withdrawal may have a highly deterrent effect. In addition, the period of licence withdrawal needs to be considered. One cannot be certain that a period of 4 weeks or a period of 3 months is enough to change traffic behaviour for a particular offender. Basically the withdrawal period is meant as a general deterrent for the public and a specific deterrent for the offender. In practice, in most countries, the length of the withdrawal period is determined by the seriousness of the offence, the circumstances surrounding the offence, and the history of earlier offences. Generally, the withdrawal period should be long enough to teach a lesson to the offender. It should endure as long as it may take to change the offenders' behaviour, but also to assure a deterrent effect. Hence, it should be taken into account for how long the licence is withdrawn if it is withdrawn and if the period is fixed or flexible, depending on additional measures or depending on severity of offences.

8.1.1 Properties

This chapter provides details at how many lost/gained points the licence is withdrawn and what the minimum amount of offences is that an offender must commit until his licence is withdrawn. It gives also information about the period of licence withdrawal. Additionally information is provided, if the withdrawal period is a fixed period or a flexible one, depending on additional measures

Austria

After the third committed offence the licence will be withdrawn. The driving licence is withdrawn for at least three months. The period is flexible, but at least three months, depending on the individual case (severity -discretionary power of the authority).

Bulgaria

The maximum number of points is 39. The maximum number of points for drivers with up to two years of experience is 27. If a driver has lost all his/her points, he/she also loses his driving rights and must return his/her driving licence to the proper body of the Ministry of Interior. If he/she does not return it, it will be expropriated by force. A driver who has lost all his/her points and as a result has lost his driving rights, is permitted to stand an examination for obtaining of driving rights no sooner than 6 months after the day he/she has returned his/her driving licence. The examination cannot take place unless the driver has previously stood a test for psychological fitness.

Cyprus

When reaching 12 points, the licence is suspended based on court decision for up to 6 month, however if it happens again within 5 years the licence is suspended based on court decision for up to 12 month.

Czech Republic

When reaching 12 points, the licence is withdrawn. The highest amount of points for one offence is 7 points; to reach 12 points, driver commits two serious or several less serious offences. (However, some serious offences are punished by driving ban, so that driver can be disqualified outside DPS, without losing the licence in frame of DPS.) The driving licence is withdrawn for 1 year (fixed). (When the driver commits very serious delict, driving ban up to 10 years can be imposed to him in criminal procedure, even if he does not reach 12 points in DPS; during the ban, points are not deleted.)

Denmark

3 points within 3 years cause a conditional withdrawal. For novice drivers (passenger cars or motorbikes) 2 points within 3 years cause a conditional withdrawal. Within the next 3 months the driver must pass a theoretical as well as a practical test. However the driver will get an unconditional withdrawal if:

1. The driver has got a driving ban or a conditional withdrawal and within the next 3 years receives three more points.
2. The driver during the same driving trip makes offences which in total releases 6 points or more.
3. If the driver previously had an unconditional suspension of his driving licence and within a period of 5 years after the suspension time ended, he gets 3 points within 3 years.

The length of unconditional withdrawal is starting from 6 months and could be up to 10 years depending of the seriousness of the offence.

Finland

If, within a year a driver commits three offences (or within two years four offences) for which a sanction is day fines (penalty based on personal income), or speeding violations for which a sanction is petty fine (administrative fee, flat rate), his right to drive is to be cancelled for 1-6 months. For young drivers (who have possessed driving licence no longer than a year) the corresponding limits are two offences within a year and three offences within two years. The licence is withdrawn for at least for one month, but no more than 6 months. The period is flexible depending on severity of offences. The impacts of driving ban on the life of the offender are also taken into account. In 2010 14,400 drivers reached the point limit of DPS so that they could have their licence withdrawn. The actual number of withdrawals was much smaller, about 9,000. 5,400 drivers were given a warning only. The high percentage of drivers that were given a warning only became known in one of the interviews. It became as a surprise to the interviewers and it is probably not well known among drivers.

France

There is withdrawal of the driving licence for six months when all points have been lost (12 for experienced drivers and 6 for novice drivers). For experienced drivers, at least two violations committed at two different incidents are necessary. However, the cancellation of the licence after the total loss of the points may happen after more violations, according to the number of points associated to each violation. Novice drivers may lose all their points during the first year when they have committed a severe violation (6 points). The period of withdrawal is fixed.

Germany

There is a licence withdrawal from 18 points onwards. Due to the fact that all levels of warnings must have been gone through, four offences is the minimum amount for licence withdrawal. The licence is withdrawn for at least 6 months. The licence is withdrawn for at least 6 months. The period can be less if he manages to show exceptional hardship, longer if he has previously been disqualified.

Great Britain

Drivers reaching 12 or more points in 3 years are disqualified for a minimum of 6 months. New drivers have their licence revoked if they get 6 points in 2 years, explained previously. There is no minimum amount of offences that an offender must commit until his licence is withdrawn. It depends entirely on points.

Greece

The driver licence is suspended when 25 points are reached. Driver licence is suspended when the violator repeats the same violation for a second time within 1 year even if 25 points are not reached in specific cases:

- Violation of traffic signs P-1 and P-2
- Red light violation
- Driving road vehicle for skills show off or competition or undertaking informal racing
- Rail crossing violation
- Turnover, reverse driving and driving on the central dividing lane on highway

The right to be re-tested, and hence, to obtain a new licence, is acquired after 6 months of the date the licence has been withdrawn. If the driver reaches again the limit of 25 points within 5 years of being re-issued the licence, the licence is being withdrawn and the right to be re-tested is acquired after 1 year of the withdrawal date. If this happens again, the withdrawal duration is 2 years. In case more than 1 withdrawal decisions have been issued for the same driver, which have not been applied, the right to be re-tested is acquired after 1.5 years for the first 2, 3.5 years for the first 3, 5.5 years for the first 4 and so on.

Hungary

The licence is suspended when 18 points are gained during 3 years. Notification letter is sent when 14 points are gained. The licence is withdrawn for 6 months.

Ireland

If, within a 3 year period, a driver receives 12 Penalty Points, he/she will incur a disqualification from driving for a fixed period of 6 months. Any driver accumulating 12 penalty points within any given three-year period will be automatically disqualified from driving for six months. The driver is required to surrender his/her licence to the appropriate licensing authority within 14 days of receiving notification of the disqualification. It is an offence not to surrender a licence. It is also an offence to drive while disqualified.

Italy

In case of loss of the total amount of points (20), a revision of the driving licence, not its suspension, is foreseen. Only if the driver does not submit himself to a specific examination or does not pass it, the licence is withdrawn indefinitely. There is no specific period for a licence withdrawal. The same examination is submitted to those drivers who committed an offence implying a loss of 5 points followed by other two non contextual violations committed within twelve months from the date of the first violation, each implying the deduction of at least five points. If the driver does not submit himself to the examination within thirty days from its notification the driving licence is suspended for an indefinite period by the Department for Land Transport. This decision is notified to the driver by Police forces that are in charge of collecting and store the document.

Latvia

The maximum number of points that can be accumulated is 10 for novice drivers (2 years after licensing) and 16 for all other drivers. Reaching the point limit, results in the immediate withdrawal of

the driver's licence. The offender has to commit at least 2 offences until his licence is withdrawn. The licence is withdrawn for 1 year. There are several rules when licence is suspended or withdrawn after committing only one offence (speeding, driving under the influence of alcohol or drugs), but this conviction is not included in the DPS.

Luxembourg

When losing 12 points, the licence is withdrawn. The minimum amount of offences depends on the severity of offences. The licence is suspended for 12 months (a five-day's rehabilitation course is compulsory). It is a fixed period.

Malta

When reaching 12 points, the licence is revoked. The licence is revoked for 3 months.

Netherlands

In the first five years after obtaining a licence novice drivers receive one penalty point for every offence. If the driver receives three penalty points within the first five years after licensing, a report will be sent to the Central Office for Motor Vehicle Driver Testing (CBR) stating that the driver is probably no longer allowed to drive. At the same time the report is sent, the police will require the driver to hand over his/her licence. The CBR will then decide whether the validity of the licence will be suspended for the duration of the investigation. A person is obliged to make a test drive in which his or her driving capabilities are assessed by a driving examiner and a theory test. The CBR is the Dutch statutory body responsible for the administering of driving tests. If one fails the test drive, one loses his licence and one should again do the official examination (theory test and driving exam) in order to regain the licence.

Poland

There is a licence withdrawal when a driver collects 24 points (or 20 for a young driver). There is no minimum amount of offences that an offender must commit until his licence is withdrawn. There is only the number of points defined. The licence is withdrawn until the driver has passed the theoretical and practical part of the driver test.

Romania

When 15 points are gained, there is a licence withdrawal. There is a 30 days withdrawal period. Additionally, if the driver accumulates 15 points again within one year after regaining the licence, the second suspension lasts for 60 days.

Slovenia

When 18 penalty points are reached or surpassed, a driving licence becomes invalid. If the licence was withdrawn for the first time, you can obtain a new driving licence after six months.

Spain

The licence is withdrawn when a driver loses all of his 12 points. The normal driver's licence is withdrawn for 3 months, while that of the professional driver is withdrawn for 6 months. The points are deducted depending on offenses committed (the law regulating the DPS classifies the offenses carrying a loss of points): when all the points are deducted, there is a licence withdrawal. Except if committing very serious infractions, drivers will not lose more than eight points by accumulating infractions in one day. The normal driver's licence is withdrawn for 3 months, while that of the professional driver is withdrawn for 6 months. He can recover it by attending a rehabilitation course and a theoretical test.

The driver will then start with a credit of 8 points. If the driver loses his licence a second time he will recover it after 12 months.

For novice drivers (less than 3 years of driving experience) and for people who lost their licence (they regain a driving licence with only 8 points, for two years and then get 12 points again), the licence is withdrawn when he or she loses 8 points. The licence of professional drivers is withdrawn, when 15 points are lost. All other drivers have 12 points on their licence. If they commit no offence during 3 years in a row, they get 2 more points once and then 1 point if no offence for another 3 years. The maximum number of points is 15 points.

After two years without losing points, the holder affected by a partial loss of points will recover the whole initial credit of 12 points.

8.1.2 Opinions

Experts were asked what they think about the amount of points/offences that lead to licence withdrawal and they were asked if they know of any evidence for their opinion.

Austria

- 1) In the field of demerit points, it works the way it is. Speed violations should be for sure specially handled. The current penalty system should be better enforced, e.g. by minimal speed violations, also enforce appropriately and not always sidestep and use 'warnings' – this is not directly related to the DPS. When one enforces the system also for minor things, there are no warnings but rather a penalty - which already exists in the current system; one also expects a change for speed violations (here it is referred to the normal administrative penalty procedure).
- 2) Simplification is the aim. Already at first occurrence, a penalty and eventually a measure should be set. Immediateness of the consequences would be important. The time period of the marking should be extended (e.g. 5 years: should be empirically reviewed).
- 3) In the past year there was a withdrawal regarding the lack of participation in a measure: 6 x 2 x driver licence withdrawal, due to 3 offences → The withdrawal measure works relatively seldom. Points for driving with a BAC between 0.05 and 0.08 percent were 145. Explanation for this: people are too good or the time period is too short.
- 4) The current regulation works. Would be though worth discussing whether longer withdrawal periods should be introduced for certain offences.
- 5) During the time of suspension, something should be done with the people: training. The demerit point system could have an effect concerning sustainability: during the training time the idea to ride a bike as an alternative could be formed. This would have a possible consequence on traffic performance.
- 6) I suppose three months are a good shot across the bows.

Cyprus

The licence withdrawal is a good preventive measure. The period for licence withdrawal is too short, especially because it is up to 6 month. So this means that it can be 2 weeks; and after 2 weeks, the driver is back in the traffic and points are reduced to 0. So there is no punishment at all. In general, the system is not working very well.

Czech Republic

- 1) The current state as to the amount of points/offences that lead to licence withdrawal is satisfactory. The period for licence withdrawal seems to be satisfactory.
- 2) When the licence is withdrawn on the basis of committing criminal act or other act leading to licence withdrawal (not in frame of DPS), it would be also suitable to give 12 points to the driver, so that there would not be any doubts or discrepancies. The period is convenient, especially in

case of recidivists; the restoration should be conditioned by rehabilitation measures that improve personality of driver

- 3) In some cases, one year is unnecessarily much. If no criminal act happened, there should be an option to reduce the period by participation in a programme, or allow driving under surveillance. It concerns especially young or novice drivers – during one year, they lose their knowledge and skills more easily than experienced drivers, or they are tempted to drive without licence.
- 4) A period for licence withdrawal of 6 months would be optimum
- 5) A period for licence withdrawal of 1 year is adequate.
- 6) A period for licence withdrawal of 1 year is adequate, shorter period would degrade the deterrence effect of the system.

Finland

- 1) The current Finnish system works reasonably well. A period for licence withdrawal of one month is perhaps too short. The impact of DPS on safety could be greater if the minimum was e.g. 3 months. Longer withdrawal period could be used if the list of offences in the driver's DPS account includes serious offences. Minimum period could apply if the driver has committed only minor offences.
- 2) The current practice is OK. To my opinion, the maximum period for licence withdrawal could be higher (i.e. 12 months).
- 3) It has been discussed whether the withdrawal period is frequently too short to have any effect. However, no documented effects of current practise are available
- 4) Licence withdrawal period is between 1 and 6 months, and it comes into effect immediately. The current practice is OK.
- 5) There is no clear need to change the current limits. In practice licence is usually withdrawn for 1–2 months, seldom for more than 4 months.
- 6) The current practice where the length can vary between 1 and 6 months is OK. It is important that it is possible to take into account the effects on the person's life and the type of offences when deciding the length of licence withdrawal.

France

If you commit an offence which carries demerit points, SNPC will send you a letter which lists how many demerit points you have accumulated and the details of the offence(s). If you lose all your points, you will be advised by SNPC that your licence is cancelled and you have to bring your licence title to the policy. The new measures taken on 2007 and 2008 contributed to this decrease in the suspended licences (a letter is sent when the loss of point is half of the capital or more, a point regained when only one point lost in six months).

Germany

- 1) The problem is that you have to do either 18 single offences or three gross offences. This leads to an intransparent system and so it is partially not comprehensible. The amount of points should not be relevant, but the amount of offences.
- 2) Offenders should retrieve their licence after six months at the earliest. This period is delayed because of the medical-psychological assessment. Sometimes a renewal happens after a year. After six months it depends on the applicant himself. The system serves to keep improper drivers away from the traffic.
- 3) The period of six months is adequate. It certainly should not be shorter.

Great Britain

I am satisfied about the amount of points/offences that lead to licence withdrawal. I prefer to see more flexibility as to the period for licence withdrawal.

Greece

- 1) The amount of points/offences that lead to licence withdrawal seems random, research needs to be done. The period for licence withdrawal is pointless.
- 2) Maybe the driving licence could be withdrawn earlier. It should be under research. It has no importance since the offender has done the sessions for rehabilitation.
- 3) The amount of 25 points accordance to the points per offence seems to be optimum for Greece. This should not be changed. The period of licence withdrawal that stands in Greece is adequate for the driver to feel punished.
- 4) There should be no changes as to the amount of points/offences that lead to licence withdrawal. The withdrawal should take place directly after the offence. Otherwise the driver is led to become a violator.
- 5) The amount of points/offences that lead to licence withdrawal is ok. The period of licence withdrawal that stands in Greece is ok for the Greek DPS, it should not be longer.
- 6) The time is not important but the lessons and the way of regaining the licence.

Hungary

The Hungarian system took over the 18 maximum points from Germany. Apart from that, the German system might be stricter (in terms of number of points per offence)! The period of licence withdrawal should be reconsidered, e.g. for the 2nd and 3rd withdrawal the period should be longer. It could also be linked to the seriousness of the crime(s) committed.

Ireland

The amount of points/offences that lead to licence withdrawal appears sufficient, there is no call for change. The period of licence withdrawal is adequate; there are no calls for change.

Latvia

The amount of offences that leads to licence withdrawal is optimal and is good linked to the points of each offence. At least two serious offences lead to licence withdrawal.

Luxembourg

The amount of points/offences that lead to licence withdrawal is appropriate. 1 year is considered to be a sufficient period of time for licence withdrawal.

Malta

- 1) The Maltese Penalty points system revokes the licence when reaching 12 points. It would rather go for withdrawal of Licence for 3 to 6 months with an obligatory participation in a specific course.
- 2) The present system revokes the licence when reaching 12 points. The withdrawal of Licence for 3 to 6 months with an obligatory participation in a specific course would be more ideal.
- 3) The amount of points/offences that lead to licence withdrawal (12 points) is fine.
- 4) At least the period of withdrawal should be 3 to 6 months.
- 5) The period of 3 months is fine.

Poland

The amount of points/offences that lead to licence withdrawal is an appropriate solution. The whole procedure takes about 6 months so it is an appropriate period of time when the driver is excluded from the traffic.

8.2 Special Issue: Measures beyond licence withdrawal

Possibilities of removing the offender from the traffic system should be asked – particular driving limitations (e.g. use of alcohol interlock, data logger, feedback system, etc) or even detention – and the linkage with other institutions (criminal law). Depending on the severity of the offence it might appear useful to impose other measures to offenders, in particular if licence withdrawal is not considered as an appropriate measure.

8.2.1 Properties

Information was gathered concerning measures beyond licence withdrawal that can be imposed to the offender in the context of DPS (e.g. alcohol interlocks, driver's logbook, driving limitations...). The experts had to pay attention to the fact that it is related to the DPS and not dependant on other institutions (like criminal law).

Austria, Cyprus, Czech Republic, Denmark, Finland, France, Germany, Great Britain, Greece, Italy, Ireland, Latvia, Luxembourg, Netherlands, Poland, Romania, Slovenia

In none of the countries, other measures in the context of the DPS do exist.

8.2.2 Opinions

This sub-chapter displays expert opinions about the measures beyond licence withdrawal. Experts were asked to give evidence for their opinion.

Austria

- 1) Alcohol interlock is seen positively – a potential solution, as preventive measure a good possibility.
- 2) Vision “ZERO”: each individual should keep its responsibility. However the individual is not able to decide this on his/her own. The system should be more rigorous – Help is needed by the community: Alco Interlock, Black Box (charm that a bit of freedom is still pertained; drawback: an accident must happen first until Black Box gets relevant).
- 3) There are no other measures beyond licence withdrawal.
- 4) I would support any system, which has been scientifically proved to be effective. Measures should definitely not be assessed by what is politically feasible or popular.
- 5) E.g., the “Close to” EU project: “Outing” of a traffic offender (who caused a severe accident) in front of a course group. This is a very specific measure; there are not so many young alcohol offenders anyway. However, feedback from the project is rather positive!
- 6) There are still numerous measures that could be implemented, such as feedback drives, practise drives.

Cyprus

Measures beyond licence withdrawal are a good preventive measure.

Czech Republic

- 1) When recidivism occurs, then it would be suitable to have possibility of some measures like driving limitations.
- 2) Obligatory course of safe behaviour should be introduced for drivers with 8 points.

- 3) Lifelong driving ban should be introduced for those who committed serious offence 3 times (namely alcohol).

Finland

- 1) For repeated and severe speeding offences an obligatory in-vehicle speed monitoring device could be considered. Some measures (like driving bans during weekend or night-time) could have undesirable side effects and would make the system more complicated.
- 2) Withdrawal of licence could be sometimes reduced if the driver would accept e.g. alcolock or in-vehicle speed monitoring device (depending on the type of offences he/she has committed) in his/her vehicle.
- 3) Alcolock instead of licence withdrawal could be a good alternative in some cases. Use of alcolock could also be required after the driving licence suspension period for drivers who have committed drink-driving offences. For those who have several speeding offences, an in-vehicle device recording driving speeds could be required (after driving licence suspension)
- 4) Overall, measures beyond licence withdrawal could be effective. However, the specifics of the various measures should be carefully assessed.
- 5) There is no real need for measures beyond licence withdrawal at the moment. Before such measures are taken into use there should be proof of positive effect on behaviour and safety.

Great Britain

Other measures have been considered and discarded as impracticable.

Greece

- 1) Volunteer sessions are needed only.
- 2) Measures beyond licence withdrawal are not needed.
- 3) The offender is already “punished” with the tickets and the withdrawal of the driving licence. No other measures are necessary.
- 4) The fines are high enough and they are connected with the offence.

Hungary

It has been shown that alcohol interlocks do not have any lasting effect; hence, focus should be on driver improvement courses (with focus on attitudes).

Ireland

There are no measures beyond licence withdrawal, because this is as far as the system goes.

Latvia

It would be too difficult to implement any of mentioned measures. For example alcohol interlocks would be too difficult to implement, since about 80 % of driving population is using the cars that are older than 10 years. People will find out how to evade these measures.

Luxembourg

Measures beyond licence withdrawal are appropriate: education, prevention.

Malta

- 1) When the offence is severe, a fine should be imposed or an obligatory test.
- 2) In principle, measures like a fine beyond withdrawal would be adequate on serious offences.
- 3) A fine should also be included. Before the Licence is given back to the driver, same has to attend an obligatory course

Poland

Measures beyond licence withdrawal are appropriate to the offences.

8.3 Special Issue: Re-granting procedure

This section deals with the (legal) criteria to regain the driving licence and how these criteria are executed in practice. The main aim of regranting is to allow offenders to operate their vehicle again and not to keep them out. To keep a lot of people (e.g. say for example 10% of the total driving population, or say 25% of the offenders who exceed the point limit) out of the system for a long time is difficult, because vehicle use is an important part of everyday life and for many persons an indispensable element of their personal lives. That is why in nearly all point systems the majority of offenders are allowed to regain their licence (under certain conditions). A question to bear in mind is if measures should be taken before the driving licence is reinstated, e.g. psychological assessment or driving test. The re-granting procedure should ensure that only those get back into the traffic system who will no longer pose a risk for others.

8.3.1 Properties

This sub-chapter informs about measures which are taken before the licence is reinstated (driving test, medical/psychological examination).

Austria

There are no such measures within the Austrian DPS.

Bulgaria

A driver who has lost all his/her points and as a result has lost his driving rights, is permitted to stand an examination for obtaining of driving rights no sooner than 6 months after the day he/she has returned his/her driving licence. The examination cannot take place unless the driver has previously stood a test for psychological fitness.

Cyprus

After the suspension period drivers receive the licence back without any additional measures.

Czech Republic

After one year, the driver has the right to apply for driving licence return but he has to pass testing at examining board. When he manages it, he is allowed to ask for licence restoration.

According to amended law (should be effective from 11.8.2011), new condition for restoration will be also psychological test.

Denmark

Normally, the driver is still allowed to drive, as he only receives conditional withdrawal as a consequence of the DPS system. Within the next 3 months the driver must pass a theoretical as well as a practical test: A driving course consisting of 7 classes of theory and 8 classes of practice should have been attended and he/she has passed a driving test.

Finland

No such measures are taken.

France

Before reinstatement of the licence, several tests are required.

Depending on the experience of driving (less than three years= probationary licence or more than three years (experienced driver), the process to get back the licence is different :

- Probationary licence: medical and psycho technical assessment + theoretical and practical driving exam.
- Experienced driver: medical and psycho technical assessment and theoretical driving exam. Then, when the experienced driver has his new licence, it is a probationary licence (which means 6 points in total for three years).
- In case of two withdrawals in 5 years, the driver has to take both theoretical and practical exams.

Germany

The offender has to pass a medical-psychological assessment.

Great Britain

If a driver is 'disqualified until test pass' then they will have to retake their driving test (theory and practical) or compulsory basic training in the case of powered two-wheelers (PTWs) before regaining their licence.

Drivers who are disqualified because they gain 6 penalty points within 2 years of passing their test for the first time will also have to retake their driving test.

Greece

The driver licence (passenger cars and motorcycles) suspended is re-issued to the driver provided that he/she follows at least 50% of the minimum lessons for theoretical training (as foreseen for originally acquiring a driver licence), especially regarding the violations committed, and is re-examined in theory and practice (as foreseen for originally acquiring a driver licence), even if the driver holds also a licence of another driver category.

In the case of motorbikes the licence is re-issued after successful theoretical and practical testing (as foreseen for originally acquiring a motorbike driver licence).

Hungary

When a driving licence is suspended (if 18 points is reached within 3 years) it can be recovered after 6 months after attending a follow-up training course.

Ireland

Once 6 months are up, licence is returned without having to take any other measures.

Italy

Before the licence is reinstated, the offender has to re-do the test again. With the loss of all points on the driving licence the driver must attend and pass a technical examination.

Malta

Before the licence is reinstated, the offender has to re-do theory and practical driving test. One can apply after the lapse of 3 months from revocation date.

Netherlands

The driver will have to pass a theory and practical test at the CBR. If the driver refuses to take the test or fail it his licence will be revoked and he will have to pass the driving test again. If the driver fails at a test drive he has to take the driving examination again (both theory and driving test). If the driver passes the test drive his licence will be returned to him and will be valid again.

Latvia

The driver must pass theoretical and practical tests in accordance with established procedure to receive a new driver licence. In case of new drivers the driver is considered to be a “novice driver” for one additional year after this one-year period.

Luxembourg

Drivers must follow a five-day’s course if the driving licence has been suspended.

Poland

Theoretical and practical driving test are required, as well as psychological assessment. A young driver has to start from the beginning – he/she must take part in the training and then pass the exam.

Romania

After the 30 days of suspension, the driver licence is automatically reinstated. He/she has to go to the Police department to pick up the document.

Slovenia

In order to obtain a new driving licence, one needs to take a driving test.

Spain

- 1) If the driver has run out of points he loses the driver's licence, but he can recover it after 6 months of being notified, by attending a rehabilitation course and a theoretical test. The driver will start with a credit of 8 points. If the driver loses his licence a second time he will recover it after 12 months.
- 2) In case of driving disqualification, the driver must first attend a rehabilitation course and then ask for a certification from the Provincial Traffic.

8.3.2 Opinions

Experts were asked about their opinion about the measures which are taken before the licence is reinstated and if they are useful. They also should provide evidence for their opinion.

Austria

- 3) No additional measures are needed before the licence is reinstated. A test would not be practical. Rather a measure concerning group dynamics. (“Will”: it is difficult to assume motivation)
- 4) I would support any system, which has been scientifically proved to be effective. Measures should definitely not be assessed by what is politically feasible or popular.

Cyprus

There is a lack of additional measures before the licence is reinstated.

Czech Republic

- 1) Existing conditions have been insufficient. I principally agree with psychological testing – but only data will show the functionality of upcoming revised adjustment.
- 2) Conditions for restoration are insufficient. Real reasons of driver’s failure are not examined; almost everybody manages to pass the test in driving school and continues driving and offending while the problem is not solved. Establishing of psychological testing will be a certain progress, but also some further measures should be added, the driver should be treated with regard to the results of his psychological test.
- 3) I agree with psychological testing. Not only when restoring licence withdrawn in frame of DPS, but in all cases this should be done.
- 4) The procedure should be differentiated by seriousness of committed offences.

- 5) Conditions for restoring are insufficient, the driver should pass obligatory course before asking for restoration.
- 6) Existing conditions (driving test) are satisfactory, the newly introduced psychological testing is needless, only formality.

Finland

- 1) It is not easy to imagine what this would mean in practice, except passing a normal test for driving licence.
- 2) Measures before the licence is reinstated are not needed. No evidence of positive effects. It would complicate the system.
- 3) No need to make the re-granting any more complicated. It would require more resources from the police, but the benefits would be doubtful.
- 4) For novice drivers who have had the driving licence withdrawn a new driving licence test could be required.
- 5) Overall, measures before the licence is reinstated are not needed. However, if the offences show that there is substantial lack of skills, this should be somehow addressed.

France

Yes, but the law has to define precisely the measure (e.g., the content of the psycho technical assessment should be defined in order to get it executed correctly, as well the medical assessment, etc.)

Germany

The medical-psychological assessment makes sense, if it is executed correctly. Possibly, it should be supervised better, e.g., with detailed protocols. It is also critical that the counselling and the assessment are not organisationally separated enough.

Great Britain

I am satisfied with the measures before the licence is reinstated. They show a driver can reach a certain standard. Some elderly drivers will give up driving as they would not pass a test that saves a doctor having to decide.

Greece

- 1) Measures before the licence is reinstated are not useful.
- 2) I believe that before the licence withdrawal there should be provisional sessions about traffic safety where the offender could reduce the number of points.
- 3) Measures before the licence is reinstated should remain as they are now.
- 4) Measures before the licence is reinstated are ok.

Ireland

Measures before the licence is reinstated are ok. No measures if they are useful, because there is no call for changes.

Latvia

A person after passing the driving tests (theoretical and practical) is treated as the novice driver again. Drivers are aware of that and it is effective.

Malta

- 1) Measures before the licence is reinstated are useful because passing the test is not so easy. Therefore the driver has to take more care of his driving licence.
- 2) Measures like psychological examination should be introduced especially for those who were caught driving under alcohol/drug influence.
- 3) Measures before the licence is reinstated should be to re-do Theory and Practical Driving Tests.

Poland

They are proper measures before the licence is reinstated.

Spain

In the event that a driver must obtain again the driving permit or licence, the measure seems appropriate and successful. It shows that the driver has taken the course properly.

8.4 Summary and overview

After a defined amount of points or offences, respectively, the offender's driving licence can be withdrawn. The amount of points differs widely between the countries (3-39) and thus, it cannot be compared. To compare the countries one has to look at the minimum number of committed offences which leads to a licence withdrawal (see table 11). Novice drivers, when treated differently, may offend only once or twice at minimum; the other drivers may offend once to four times at minimum, depending on the country they live in. The withdrawal period can be 1 month (seldom), 3 months (some countries), 6 months (most of the countries), 1 year (many countries) or even up to 10 years (seldom; for severe offences). Most of the experts say that the withdrawal period should not be too short, because a shorter period would degrade the deterrence effect of the system. It should be at least 6 months long. In none of the countries, other measures beyond withdrawal in the context of the DPS do exist. Many experts state that measures beyond licence withdrawal are not needed; two experts bring alcohol interlock up as a measure. To re-grant the licence, in some countries you do not have to do anything in particular and in other countries you have to take a course, the theoretical and practical exam, a medical-psychological assessment or other tests. Most experts agree to the re-granting measures; some highlight psychological testing as a useful measure.

Table 11: Overview of the amount of points and minimum number of offenses that lead to licence withdrawal

Countries	Amount of points leading to licence withdrawal (novice drivers)	Minimum number of committed offences (novice drivers)
Austria	3	3
Bulgaria	39 (27)	4
Cyprus	12	No information
Czech Republic	12	2-3
Denmark	3 in 3 years (2 in 3yrs)	3 (2)
Finland	3 in 1 year or 4 in 2 years (2 in 1 year or 3 in 2 years)	3 (2)
France	12 (6)	2 (1)
Germany	18	4

Great Britain	12 (6)	No information
Greece	25 or the same violation twice	--
Hungary	18	2
Ireland	12	3
Italy	20	3 in one year (1)
Latvia	16 (10)	2
Luxembourg	12	No information
Malta	12	2
Netherlands	3	3
Poland	24 (20)	3
Romania	15	3
Slovenia	18	1
Spain	12 (8), 8*, 15**	2
Range	3-39	1-4

* For people who lost their licence

** For professional drivers

9 Transparency and information

This chapter is about the transparency of the system for the general public and for the offender. Does the general public know about the system, its rules and consequences? Does the offender know what is going to happen after offending, if he gets informed and how many point he has received?

9.1 Special Issue: Transparency of the system for the general public

Transparency and knowledge may turn out to be general principles to recommend. In this case, it is the transparency of “functioning” of the system (which measures at specific amount of points). The question is also, how the public is informed about the system and its consequences/measures. Estimations of transparency and correctness of functioning of procedures may be interesting.

Additionally, this chapter is about the transparency of amount of points related to offences (offence-point details). The question is how an offender can get easy access to how many points he has gathered.

9.1.1 Properties

This sub-chapter gives information about the general public's knowledge of how the system functions, which offences are included, which measures are imposed at the specific amount of points and how many points are related to specific offences.

Information is provided about how the public is informed about the system and its consequences/measures.

Cyprus

With the introduction of the system in 2000, the public was informed through the media. The public is re-informed periodically through the media.

Czech Republic

Rules of DPS are published by the same information channels like other laws. Furthermore public is informed by web pages; when some changes occur, also in other media (press, TV, radio). When all the system was about to launch in 2006, extensive information campaign “NEW RULES” coordinated by the Ministry of Transport was implemented in all media.

All information about way of operation of DPS including amount of points ascribed to individual offences is accessible to the public.

Denmark

Most people probably know the most general offences, but not the system in details. However, this has never been investigated. Neither has it been investigated to which extent the general public knows which measures are imposed at the specific amount of points. The public is informed about the system and its consequences/measures via police website, road safety websites, brochures, as a part of the education for getting the driver licence, and through different kinds of campaigns in the period of introducing the system.

Probably, the general public knows the amount of points related to an offence - the system is simple: 1 included offence equals 1 point.

Finland

Driver are probably generally aware that repeated offences may lead to withdrawal of driving licence, but do not necessarily know the details, at least until they commit an offence that is counted. Drivers are informed in driving school. Information about the system is not easily available elsewhere except in the law.

Current system is quite simple: For novice drivers the limit is 2 offences within one year or three offences within two years. For other drivers, the limit is 3 and 4 offences respectively.

France

The public knows the system in general but not in detail: they get more interested when personally concerned by a loss of points.

The public is informed:

- through a government website,
- through administration services,
- through leaflets,
- through mandatory training for driving licence (questions in the theoretical exam),
- through media,
- and through course providers.

The public does not know the number of points for all violations because violations are too numerous. We try regularly to improve this knowledge.

Germany

69% of the public know that from 18 points onwards the driving licence is withdrawn. 54% know that one has to participate in a driver improvement course when reaching a certain amount of points. 53% know that points are reduced when one participates voluntarily in a course (BAST, 2011, unpublished report). Sometimes newspaper or TV report about the DPS, but generally not very often. People can inform themselves on the homepage of the Federal Motor Transport Authority which keeps the DPS.

The general public knows very well which offences lead to points, but they often don't know about the amount of points related to an offence.

Great Britain

The system is described on the Internet:

<http://www.direct.gov.uk/en/Motoring/DriverLicensing/EndorsementsAndDisqualifications/index.htm>

Greece

The DPS is included in the Road Safety Code, which is a publicly available document.

Ireland

Yes, the general public knows how the system functions, which offences are included and how many points are related to specific offences. Published nationwide as any changes about the system and its consequences/measures are made also the website www.penaltypoints.ie and details on penalties are in the rules of the road.

Italy

The general public knows how the system functions and which offences are included. 8 years have passed by now since its adoption, which was largely promoted through campaigns and advertisements. As for now, on the Ministry of Transport and Interior websites it is possible to collect information on how the system works and moreover get to know the personal amount of points on the licence. A free telephone number is also at driver's disposal. However, the reason for them to get as

much information as possible seems related to find ways to avoid the deduction of points and deceive the demerit point system.

They are informed on the most common and serious traffic offences. Anyway, it is also possible to find all the information on the table listing the main offences and the related number of points deducted on the web.

Latvia

The general public is well informed. After the first year the DPS was introduced, letters were sent out to all licence holders to inform them about the amount of points they have accumulated or congratulate for not receiving any points. By this all drivers received information about the DPS in Latvia. The general public knows which measures are imposed at the specific amount of points and how many points are related to specific offences; those who are interested can easily access this information. The public is constantly informed about the system and its consequences/measures through media. Several informative campaigns are released before any changes in the DPS are implemented.

Luxembourg

The general public knows more or less how the system functions and how many points are related to specific offences. They are not informed about specific measures imposed at specific amount of points (except licence withdrawal when no points are left). The public is informed in the driving school regarding future drivers; information is also available on Ministry's website http://www.mt.public.lu/transport/circulation/permis_points/index.html

Malta

The driver is informed by the Driving Schools and the Driving Examiner.

When taking the Practical Driving Test, the general public knows how many points are related to specific offences.

Netherlands

The system is meant for novice drivers. The general public may find information about the system on websites.

Poland

All people have access to the list of offences and related points. It is even printed in newspapers (as a supplement).

Romania

The general public is well informed and knows which measures are imposed at the specific amount of points. It also knows how many points are related to specific offences.

There are questions in the licence exam about the number of points related to offences.

Spain

The public knows that DPS exists but they do not have a deep knowledge of the behaviours that could be punished.

The driver can visit the website of the Traffic Department or consulting any of the Provincial Traffic Department to get knowledge of the system, its consequences and measures imposed. He can also easily find the legislation regulating the DPS.

We do not know for sure if the general public knows how many points are related to specific offences, but our perception is that there are a high number of drivers who ignore this information.

9.1.2 Opinions

Experts were asked about their thoughts on functioning of the DPS, about how the public is informed and about offence-point details. They were asked to provide evidence for their opinion.

Austria

- 1) The majority receives the information at the driving school, but the changes often remain unknown.
- 2) There is a study, but I do not know about the results.
- 3) The normal citizen on the streets one guesses has a rather limited knowledge of the DPS details.

Czech Republic

- 1) The transparency about the functioning is very good; the citizens have all required information.
- 2) Public was sufficiently informed about DPS and the way how it works. Unfortunately, public was also more than sufficiently informed about the way how to circumvent it.
- 3) The DPS is intransparent; the public is not informed enough.
- 4) Better public information is needed, e.g. about who is doing what (points are not ascribed by police but by municipality etc.)
- 5) Public is well informed.

Denmark

The system had an effect some months after it was introduced, but then the effect faded out. This is probably due to the fact that the risk of getting “caught” is low.

The public was well informed through the press, radio spots, police website, road safety websites, brochures, advertisements, internet- and banner ads etc. before the system was introduced, but after that there has not been much information about it. Information about the system is available though at relevant websites as the police, The Danish Road Safety Council etc.

Finland

- 1) The current Finnish system works fairly well. I assume it is rather well known and understandable. Drivers could be better informed of the system (e.g. on the internet). Transparency and acceptability are important. It is not known how aware drivers are of this rule (for novice drivers 2 offences within one year or three offences within two years. For other drivers, 3 and 4 offences respectively).
- 2) The public know the main mechanism of the system, but not necessarily the details (e.g. how many offences and in what time period is needed before withdrawal of licence). The knowledge is sufficient for the system to function as intended.
- 3) I assume that not all road users know the system. Road users in general do not consider the Finnish system as a DPS. It is also doubtful whether most road users know how accumulation of offences can lead to withdrawal of driving licence (before they receive warning letter).
- 4) I assume that the current Finnish system is not well known. Drivers could be better informed of the system (e.g. online). Offence-point details cannot be discussed as no weights are currently used.
- 5) The current Finnish system works fairly well. It is not really known how well the public is aware of the properties of the system.

Germany

The system is complicated and it is difficult for the offender to determine the score of points. Online information about the score would certainly be great, but not realistic. In general, drivers do not have

any knowledge about how many points you get for each offence. The differentiation is too huge, it would be reasonable to just count the offences.

Great Britain

- 1) I am satisfied about how the public is informed and about offence-point details.
- 2) The system is described on the internet. Section 4.3.1 of our report (see link) deals with survey results of drivers' knowledge of the points system. (Corbett, Delmonte, Quimby, & Grayson, 2008, available online on <http://webarchive.nationalarchives.gov.uk/20091112160519/http://www.dft.gov.uk/pgr/roadsafety/research/rsrr/theme2/threat.pdf>).

Greece

- 1) It is ok and the public can easily find it on the internet. Campaigns should also be done.
- 2) It is ok and the public can easily find it. Campaigns could be useful.
- 3) The public knows the existence of the DPS but not in detail. This is enough more or less. In Greece the DPS is not strongly essential because it is not implemented always. A DPS is being disseminated when it is strongly implemented. Campaigns and marketing are not important. If the system is implemented all drivers know about it. Offence-point details are not needed.
- 4) It is adequate for the Greek reality. The public is well informed. The DPS is a public document, easy to be accessed from everybody. Also, 3,500,000 leaflets have been disseminated to users in 2008. The offence-point details are ok.
- 5) Offence-point details are not convenient. The public is informed during the training phase for obtaining the driving licence.

Hungary

Public is not well informed; in Germany, the points catalogue is part of the Highway Code! For Hungary, the information is available on websites and on the flipside of the EU driving licence!

On the flipside of the EU driving licence, there are also offence-point details; however this information first needs to be identified there...

Ireland

The operating how the public is informed is satisfactory. It is satisfactory how the public is informed. There is no evidence to state otherwise. The offence-point details are adequate because there are no problems arising from the current system.

Italy

The system demonstrated to work when it was launched in 2003, and for a couple of months after its enforcement. Unfortunately, after some magazines demonstrated the easy ways to avoid real consequences, its effectiveness vanished, for some years. Now it works again in some specific fields, namely section speed controls (TUTOR) and BAC controls.

Latvia

The DPS is showing significantly positive improvements in accident statistics. In comparison of three years data before the introduction of the DPS, two years later all road traffic safety indicators decreased:

- Number of injury accidents (by 14, 6%)
- Number of killed (by 18.5%)
- Number of injured (by 12.2%)

After implementing changes in the DPS in 2005, the number of drunk-driving accidents has been decreased by more than 30% and the number of killed persons has been decreased by more than 40%.

The accident statistics shows that drivers after introducing the DPS are more aware of road traffic safety and therefore it might be concluded that they are well informed about the enforcements.

The details are understandable and those who are interested, can easily access the detailed information to which offence how many points are assigned.

Luxembourg

The functioning of the DPS and how the public is informed are appropriate. A dedicated information campaign could be useful. The offence-point details are appropriate.

Malta

- 1) The general public is not so well informed. Only the Novice Drivers are well informed through the Motoring schools. The offence-point details are easy accessible on the internet or by looking in the Laws of Malta.
- 2) It works well on Novice Drivers but it shall be extended to all driving licence holders. The general public shall be well informed by organised publicity. It also should have the possibility to access online information. The transparency of the system is important. The details are easily accessible on the internet or on a leaflet that can be found at any local council / police station.
- 3) It works well on Novice Drivers but it shall be extended to all driving licence holders. The public should be adequately informed by leaflets, Publicity on TV & Local news papers. Like a reminder every 3 months.

Poland

The public is very well informed about the system

Spain

- 1) The DPS improves behaviours. However the public should have a deeper knowledge of the functioning of the system.
- 2) The different administrations involved must act with greater transparency to make available to the general public all the relevant information that allows the evolution of road safety in Spain.
- 3) So far the DPS in Spain seems to work in a satisfactory way. With the facilities provided nowadays, the driver can get easily information that he needs to obtain. Because the driver can get this information either through the website of the Directorate General of Traffic, Internet or in person (at various Traffic Departments).

9.2 Special Issue: Transparency of the system for the offender

The timing of information of the driver about the pointing of an offence should be transparent.

The transparency of the own amount of points is important, as well. The access to the individual amount of points should be easy. Questions to bear in mind concern the process of informing the individual driver about his total amount of points.

The transparency of timing of information of the driver about his amount of points and related consequences (warning letter) is important, as well. The earlier the driver is informed, the better. The more often the driver is informed, the better.

9.2.1 Properties

For this sub-chapter it was interesting to gather information when the driver is informed about the fact that he gained/lost points and if he is informed in any case. There is also information provided about the transparency of the own amount of points and concerning the issue when the driver is informed about his amount of points and related consequences.

Austria

The driver gets informed about the registration and the possible consequences at the same time he receives the notification of penalty from the authority and he gets informed about the fact that he will be registered due to the Austrian DPS. Estimate: max. 2 months (by appeals longer).

Cyprus

The driver is informed about his total amount of points by the Police Officer, who apprehends the offender, or at the Police Station where the offender presents the ticket left on his/her vehicle, or by the court if the case is brought to court.

But when a driver is going to exceed 12 points the case must be decided in court, then it takes more time, there is no fixed time for this decision.

There is no warning letter.

Czech Republic

The driver is not informed about his point account automatically; he gets the information when he himself asks for the printout.

The driver is informed about individual assigning of points only in case of administrative procedure. When the offence is solved on the spot, driver does not obtain informative letter afterwards.

Some municipalities are now testing new prepaid service – when the driver asks and pays the service, he is automatically informed about changes of his account.

In case of reaching 12 points, the driver is informed immediately.

General problem is that some drivers do not accept the official letters, some purposely; some do not live at their permanent addresses without stating the delivery address. They are then considered to be informed from office's point of view, but practically, they are not informed and behave accordingly.

Denmark

For each incident, the driver receives written information about each point. There is no warning letter and no further information, also not when the period for a point is over. The driver must keep track of his points on his own. If he/she wants to know his/her total number of points he/she must show up personally at the local police station with valid ID to get the information.

Finland

Drivers do not necessarily receive information of their offence situation each time they commit offences that are counted. Drivers are informed (by a letter) about their situation only when they are in the situation where the next offence leads to the withdrawal of the licence. The delay in the delivery of the letter can be several weeks or even months.

In case the offence leading to mailing of warning letter concerns automatic speed enforcement, drivers receive the warning in the same letter where the sanction (petty-fine) is issued.

Drivers can order an excerpt from the driving licence register concerning their own licence. Such excerpt is free of charge once a year, additional excerpts costs 16 euro. The excerpt contains also information of past offences. Drivers can also have information of their situation by asking at police

stations (free of charge). Police cars have equipment that enables viewing of up-to-date information in the driving licence register when sanctions are issued.

France

A letter is sent when half of the initial number of points is lost (6 points). A letter is sent each time a violation has been recognized and has produced a loss of points: on this letter, all the history of the drivers' points is mentioned. A letter is sent when the driver recovers all his/her points. A letter is sent when the licence is cancelled because all the points have been lost.

The individual driver also receives the information about his total amount of points

- by consultation of one's points capital on a ministerial website: a secret and individual access code is attributed,
- or by going to the licence local administration service.

Germany

There are regulations about warning letters to offenders when one reaches 8 points. When one reaches 14 points, the administrative authority writes another letter with the order to participate in a driver improvement course within a certain time frame. The offender is also informed when he reaches 18 points. There are no regulations about informing the offender with each offence. The driver can ask the Federal Motor Transport Authority which keeps the DPS about his amount of points. The information about the offense's points is non-binding (no guarantee) as the real amount of points is calculated in the driving licence authority and is made on a voluntary base, depending on the authority which legally proceeds the offense.

Great Britain

The driver gets informed either on accepting fixed penalty or through the post or at court. He has to send in his licence, which is physically written on. The endorsement (and penalty points) is updated on the driver record and written on the paper driving licence or the counterpart document of photo card driving licence.

Greece

The police informs about the points with each offence. The driver does not receive information each time. Only when the offender reaches the amount of 15 points and the amount of 25 point he/she gets a warning letter that informs him about each offence he/she has committed and the points of each offence, the consequences of reaching the 25 points and he/she receives all the information about the DPS and the Road Safety Code.

Hungary

The driver gets informed after reaching 14 points via a notification letter. The individual driver receives the information about his total amount of points by an official letter from the police.

Ireland

If a driver has committed a driving offence that incurs penalty points he/she will receive a written notification informing him/her that points are being added to their driving licence. Points are issued from the Garda Fines Office, after the fine is paid the fines office notify the National Vehicle Driving File in Shannon and they issue a letter. This notice will include details of the name, address, date time and location of the driving offence concerned. It will also confirm that the driver either paid the fixed charge for the offence or were convicted in the court of such offence. The notice will also contain a date on which the notice was issued. This is the important date as the points will only be added to their licence 28 days after this date. The points are put on the licence 28 days after the driver is notified in writing. Generally drivers will be notified in writing within 48 hrs.

People are not only notified when they get points but also when points are removed from their licence. The individual driver receives the information about his total amount of points in writing. The driver can also ring the Road Safety Authority or get a print out from the Local Authority (fee of €6).

Italy

There had been periodical campaigns to inform drivers both before the adoption of the new law and the period immediately after. Furthermore, a website was created through which everyone can subscribe for free and receive the actual amount of points on the driving licence. Based on the same idea a free telephone number is also available for drivers who want to be updated on their driving licence data. Beside the information on the website or through the above mentioned free number, every driver receives the communication on the points deducted and the remaining score from the Ministry of Infrastructure and transport as soon as the offence notification is confirmed and defined.

Recent improvements in the central electronic management have strongly improved the timing.

Latvia

Drivers are not informed by letters every time they gain points. Letters are sent out to the drivers four times: when they have collected 4, 8, 12 and 16 points. A letter is sent out one month after the offence is committed (because of appeal period). Drivers themselves can access the information about the amount of points in the online e-system maintained by Road Traffic Safety Directorate. There they can find up-to-date information. Usually a police officer informs the offender how many points will be assigned. To check this information, e-system can be used by every driver and vehicle owner.

Luxembourg

The driver is informed when the loss of points becomes effective and he receives information each time that he loses points by registered mail.

Malta

The driver is informed when he is found guilty. If the offence is not contested, he is automatically guilty. The amount of Penalty Points can be checked personally at the Transport Malta office. The driver is informed by a letter to call at the TM office, so that his points can be recorded on the Licence.

Poland

The driver is informed about the fact that he gained points during the police control when the policeman decides that he/she committed the offence and this offence is connected with a certain amount of points (so the driver is informed immediately); and when there is an automatic control the driver receives a letter with the information about the offence and points connected with it. The driver can always inquire whether and how many points he/she has gained at every police station. There is no warning letter.

Romania

The driver is informed on the spot. The police officer has to give the driver a notice of the event which includes any measures taken against the driver, including points if they are applicable to the event. For information about the total amount of points, the driver has to submit a request to the traffic police department where he/she lives. The driver then has to go to the police department to receive an official document showing the number of points on his/her licence.

Spain

Drivers can check their credit check consulting the drivers register and he can check his credit of points via the website of the Directorate General of Traffic (www.dgt.es) or approaching a Traffic Department. People prefer not to register in order not to be identified. The police notice the sanction

and the loss of points to the driver. If the driver changes residence he is notified via the newsletter of the traffic department.

The administration is not obliged to inform the driver.

The Traffic Department sends a letter to drivers with a total of six points or less and to those whose balance is less than three; there is also a warning about the consequences of the loss of all points included.

9.2.2 Opinions

Experts were asked about their opinion about informing the driver that he gained/ lost points. This sub-chapter also displays expert thoughts about informing the driver about his amount of points and about related consequences. Evidence if known by the expert is given.

Austria

- 1) In the penalty form there is a notice included. There is also an information text included and a list about the measures, that exist for the offence. The district authority invites and discusses this on-site. There is a briefing about the consequences as well as tables/lists about the potential measures that one can grasp.
- 2) Theoretically, the process is well designed; I am not informed about practical experiences.
- 3) Legal proceedings, then court order and pointer in the court order text that the case involves a DPS-relevant offence (as long as the officer in charge does not oversee this). Then registration in the driving licence register; then potentially discovery that the DPS driving licence register already has an entry for this person – research requires times (1 week to 1 month). It is a process with potential for errors. The criminal proceedings must be completed before an entry into the DPS can be carried out. There can be appeals. This process is not automatic and often complicated.
- 4) The driver is informed by notification, which has a strong effect. It is often about information and gaps in knowledge. 1. Locally the driver gets the information about the notification and the registration in the register. 2. Advice 3. Administrative penalty procedure: The offender receives the notification.
- 5) S/he receives a notice which states the marking (demerit points). There is also stated that one can appeal it.
- 6) Immediateness of the information has to be warranted: short and precise information and a clear statement concerning consequences.

Cyprus

It is a transparent solution how the driver is informed that he gained/ lost points and about his amount of points.

Czech Republic

- 1) Information is sufficient; the driver has several possibilities how to get information about his point account. Warning letter when reaching certain amount of points would be useful, so that even those who do not continuously follow their accounts would be informed.
- 2) Regular statement of account (paid) should be offered by administration, most of drivers would probably welcome it.
- 3) The driver has no knowledge about obtained points, way of checking the point account is difficult and not reliable.
- 4) The access to point account should be facilitated for drivers, e.g. via internet.

- 5) The driver should be informed by warning letters about reaching certain amount of points. Otherwise, getting information about the point account should be made more easy, e.g. via internet.

Finland

- 1) It still takes too long (typically several weeks?) before drivers receive reminders (or warning letters) even though the delay has diminished in recent years. Information is given by Trafi (the organisation that keeps records of driving licences and offences in the DPS), but it is assumed that information is not easy to be gathered. In future, drivers could have access on their DPS records in internet (user name and password needed)
- 2) The warning letters are sent when the next offence can lead to licence withdrawal; this is enough for the system to function. However, drivers receive the letter typically several weeks or even months after the offence, which is a problem. It is not a major problem that drivers do not have easy access to their offence records. Nevertheless, the situation could be better. The handling process of offences has several stages and actors: police → public prosecutor → ministry of justice → keeper of traffic licence register (Trafi). Public prosecutor is not involved in petty-fines if the vehicle owner/holder does not deny that he/she was the driver (in camera enforcement). In speed camera enforcement the delay can be up to two weeks before the case is forwarded by the police, in manual enforcement the case is usually forwarded in a day or two. If the case goes to the public prosecutor, it often adds weeks to the delay. Overall, the delays in informing the driver are too long.
- 3) Warning letters should be sent after each offence that is counted in DPS.
- 4) Currently, the driver is not sufficiently informed. I assume that no information is currently provided, except the warning letter. Information about related consequences should be available online.
- 5) Drivers could be better informed of the system in general and their own situation (e.g. by exploiting internet). Transparency is important.
- 6) Drivers could be better informed of their own situation (e.g. by exploiting internet).

France

Drivers receive the letter several weeks or several months after the offence except automate speed system. A letter is sent when the loss of point is half of the capital or more, a point regained when only one point lost in six months.

Germany

- 1) The driver does not get any authoritative information. It is not possible, because the counting of points is done by the driving licence authority (Fahrerlaubnisbehörde), the administrative fine office (Bußgeldstelle) only knows about the single offence. Certainly it is dissatisfactory for the offender and it leads to an intransparent system. The offender is only informed when there is an intermediate measure. My request would be that the administrative fine office has access to the points account. Then there could be a notification about the amount of points carried out during the fine. But this is not realisable.
- 2) It is bad, that the offender does not get any information about the amount of points after his offence. Normally, it should be no problem to give information with the fine. But it is difficult from a legal point of view. This is not good, because actually the driving licence authority cannot depart from the amount of points. The administrative fine office transfers the offence to the Federal Motor Transport Authority. The driving licence authority only gets informed when there is a certain amount of points reached, and then they inform the offender. This segregation is not reasonable,

because often the same authority issues the official notifications. The legally valid penalty notice has to be transferred directly to the driving licence authority.

- 3) The timing of information when receiving eight points is appropriate. Generally, the driver gets the information about his points during the fine. This could be improved. Every administrative fine office should inform about the score of points for each offence.

Great Britain

- 1) I am satisfied with the way the driver is informed that he gained/ lost points, about his amount of points and about informing the driver about related consequences.
- 2) Drivers are not informed when their points have expired and must work it out for themselves. Updating of the counterpart licence is discretionary and currently costs the driver £20.

Greece

- 1) Informing the driver that he gained/ lost points should be done constantly. The way the driver is informed about his amount of points is ok as it is. The way the driver is informed about related consequences is ok. Also he should be informed about the voluntary classes he/she could participate.
- 2) Informing the driver that he gained/ lost points is ok to be done. The way the driver is informed about his amount of points could be easily done online with a system that all drivers could enter with a password and check their points. Of course the information at the 15 points is still essential. The way the driver is informed about related consequences is ok. Also a leaflet with road safety issues could be added.
- 3) Informing the driver that he gained/ lost points should remain as it is now. A letter with the offences points should be given to the offender by the traffic police personally. There should be some kind of information about the amount of points. More attention from the government should be given.
- 4) The driver should be informed constantly but sending and SMS is expensive and the data are not enough for sending an email (many people don't even have an email at the time).

Hungary

Information that the driver gained/ lost points should be given earlier.

Ireland

It is a good system, because everyone is been made aware. The way the driver is informed about his amount of points is good, because it is fair and transparent. The way the driver is informed about related consequences is adequate.

Italy

The main reduction of accidents appeared in motorways, probably in connection with the panels advertising the amount of points to be withdrawn for each infringement.

Latvia

It is sufficient that drivers are informed about their amount of points and invited to drive more carefully 3 times, since this information easily accessible via e-system. It is important that the driver is aware of related consequences.

Luxembourg

Informing the driver that he gained/ lost points is an educative measure. Education, information is dedicated to hold the driver responsible and to give him the opportunity to participate in a 1 day's rehabilitation course to recover 3 points.

Malta

- 1) The system already caters for this. When a novice driver is allotted points, he receives a letter by post and has to call at the Vehicle Licensing unit to get the points noted on his Driving licence. It is very important that the Driver is made aware of the points. It would be ideal that such information could be accessed through the internet. I totally agree to the way the driver is informed about related consequences.
- 2) Every time the driver is awarded points he gets informed. Again accessibility to check online how much points one has is a must. In Malta this is not possible yet. It is very important that the Driver is made aware of the points. The information should bring to his attention that if he is awarded with so many points, his licence will be withdrawn / revoked. I agree to the way the driver is informed about related consequences.
- 1) It is already implemented in the system that every time the driver is awarded points, he is informed with a letter. I agree to the way the driver is informed about related consequences. Especially if he commits another offence his driving licence will be withdrawn.

Poland

The driver is always informed about the offence he/she committed and points connected with it. The way the driver is informed about his amount of points is a good and transparent solution. Maybe there should be a warning letter.

Romania

Only the individual driver should be allowed to find out about his number of points. This helps placate privacy concerns, as this is considered private information.

Spain

Informing the driver that he gained/ lost points, the way the driver is informed about his amount of points and the way the driver is informed about related consequences seems an appropriate and reasonable measure. In this way the driver knows his credit of points at all times and he can properly avoid losing it. On the basis of the information sent by the Directorate General of Traffic we believe that it has prevented some of the drivers to run out of points.

9.3 Summary and overview

The chapter "Transparency & information" sums up how the public and the offenders are informed about the DPS itself and its functioning. To inform the public, several measures are taken. Information about the DPS is written in the newspapers and in other media, you can inform yourself on websites, you are taught during the driver's lessons, there are campaigns and advertisement. Although the public is well informed that the DPS exist, they do not know the details. The more complicated a system becomes the less the public is well informed. But there is little evidence on the public's knowledge. Many experts state that the DPS is intransparent; the public is not informed enough and that there should be some campaigns. In 18 countries, the offender is informed on spot, after each point and/or when reaching a certain amount of points (see table 12). Mostly, he or she gets informed by a letter. In some countries you can ask about your current amount of points in a police station, you can check online or ask at the local authority. Mostly a warning letter is sent when the next offence will lead to a licence withdrawal. Experts give the opinion that the access to the point account should be facilitated for drivers, e.g. there should be online information. Additionally, experts state that the warning should be sent early.

Table 12: Overview of the information of the system for the offender

Countries	Information on spot	Letter after each point	Warning letter (after reaching a certain amount of points)
Austria		X	
Bulgaria	No information		
Cyprus	X		
Czech Republic		X*	
Denmark		X	
Finland			X
France		X	X
Germany		X**	X
Great Britain		X***	
Greece		X	X
Hungary			X
Ireland		X	
Italy		X	
Latvia			X
Luxembourg		X	
Malta		X	
Netherlands	No information		
Poland	X	X****	
Romania	X		
Slovenia	No information		
Spain			X
Total	3	12	7

* only in case of administrative procedure or new prepaid service

** non-binding information

*** points are written on driving licence

**** in case of automatic control

10 Acceptance

In this chapter the acceptance of the DPS by road users and politicians is discussed.

10.1 Special Issue: Acceptance by road users

A fair penalty (pointing) according to subjective risk increases acceptance. The question is if there are measures to increase/ensure the acceptance by road users. It is interesting to know if there is any estimation of public perceptions of the system in each country.

10.1.1 Properties

This chapter provides information about the acceptance of DPS by road users.

Cyprus

The system is accepted and there are no complaints to the Ministry about the system, no complaints that the system is not fair or complicated.

Czech Republic

A thorough study of acceptance of DPS by drivers was carried out by CDV in 2007 (Skládaná, 2008) relatively shortly after the introduction of the system. Some of the findings:

A representative sample of Czech driving population (the structure of target population was based on results of previous regular marketing researches) consisted of 502 respondents. The method of face-to-face interviews was used. The interviews were carried out at the end of November 2006.

Table 13: Czech study of acceptance - Sample by gender

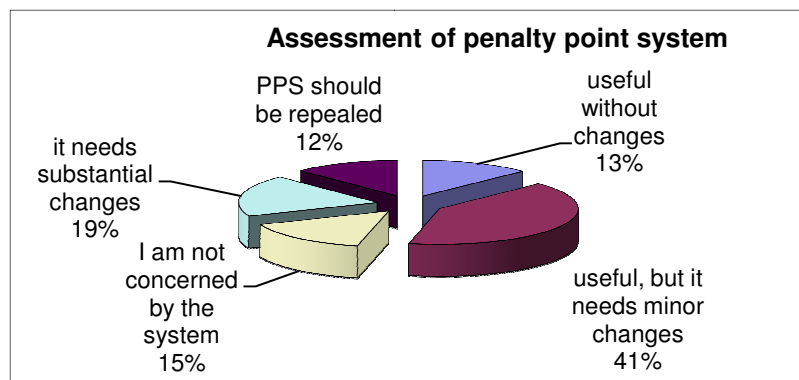
Male	365	72,7%
Female	137	27,3%
Total	502	100,0%

Table 14: Czech study of acceptance - Sample by reason to drive

Professional driver	28	5,6%
Needs driving during the work	104	20,8%
Driving to and from work	153	30,4%
Other	217	43,2%
Total	502	100,0%

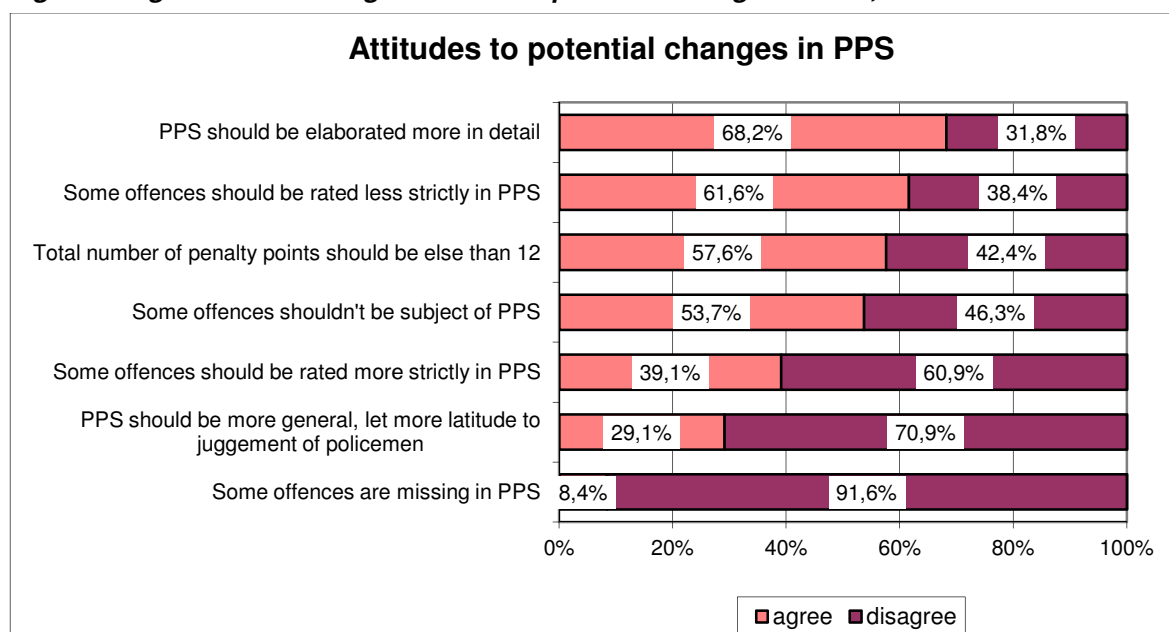
Among other things, the respondents were asked to express their opinion – whether the system is useful as it is (without any changes), or it needs minor changes, substantial changes or the system should be completely repealed. Most of the drivers agreed that the system is useful, but it needs minor changes (41%), 13% agreed with the system as it was, and 15% of respondents felt unaffected by the system, 19% of drivers wanted substantial changes of the penalty point system, and 12% wished to repeal the measure at all. It is assumable that two thirds of drivers support the DPS in the Czech Republic.

Figure 1: Assessment of penalty point system



In addition, respondents were asked to express their agreement or disagreement with potential changes in penalty point system (most of them were actually proposed by part of politicians): some violations should not be subject of DPS (54% agreed), some violations should be rated less strictly in DPS (62% agreed), some violations should be rated more strictly (39% agreed), some violations that are not involved in DPS should be involved (8% agreed), the number of penalty points should be else than 12 (58% agreed), DPS should be elaborated more in detail (68% agreed), DPS should be more general – let more latitude to judgement of policemen (29% agreed).

Figure 2: Agreement or disagreement with potential changes in PPS, in %



Denmark

The acceptance of DPS by road users is high, but there is no documentation.

Finland

There are no real problems about the acceptance of DPS by road users.

France

The system is accepted by the majority of drivers

Germany

According to a BAST survey (2011), 44 % of the driving population consider the DPS as a measure to increase road safety. 66 % of the same sample consider licence withdrawal in case of frequent

offenses. 83 % consider it as appropriate that offenders reaching 8 points get a warning letter, 78 % consider it as appropriate that offenders reaching 14 points must participate in a driver improvement course and 77 % consider it as appropriate that the licence is withdrawn when reaching 18 points.

Great Britain

It seems widely accepted.

Greece

Information about the acceptance of DPS by road users is lacking.

Ireland

Information about the acceptance of DPS by road users comes from two sources:

- Motoring in Ireland Report for the National Safety Council 2003
- Penalty Point Attitude survey conducted in 2005

Figure 3: Results of an Irish survey concerning the acceptance of DPS



2. Are you in favour of the introduction of the Penalty Points System? – All respondents

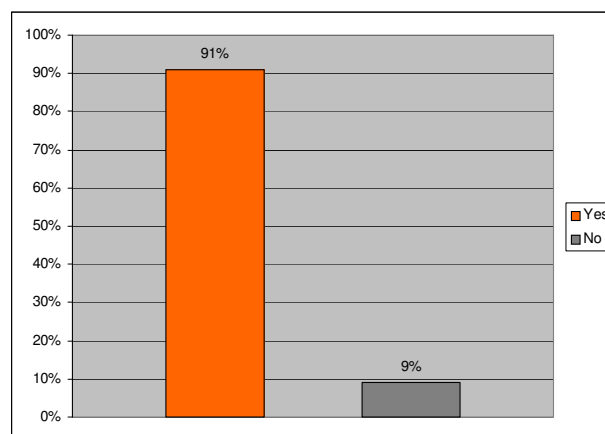


Figure 4: Results of an Irish survey concerning the belief in safety effects of DPS

3. Do you think the Penalty Points System will reduce the amount of road deaths – All respondents?

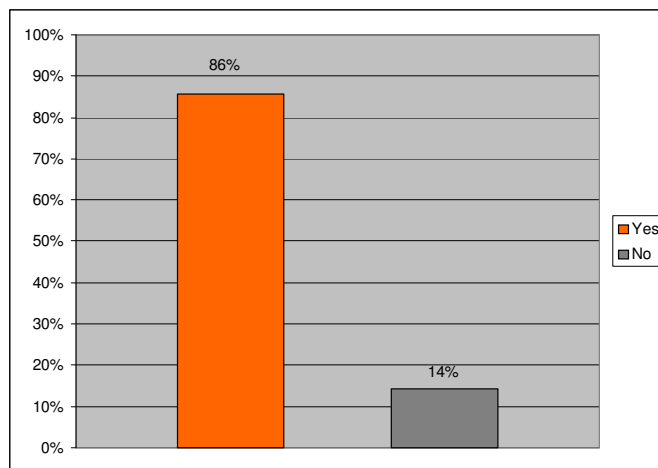
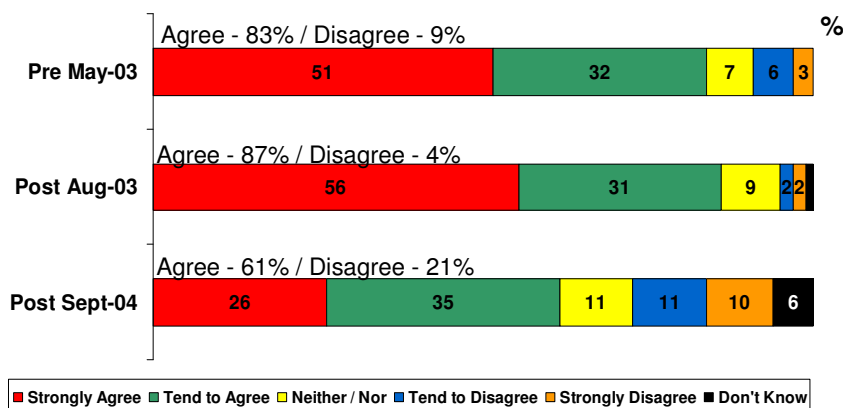


Figure 5: Results of an Irish pre-post-survey concerning the increase of safety effects of DPS

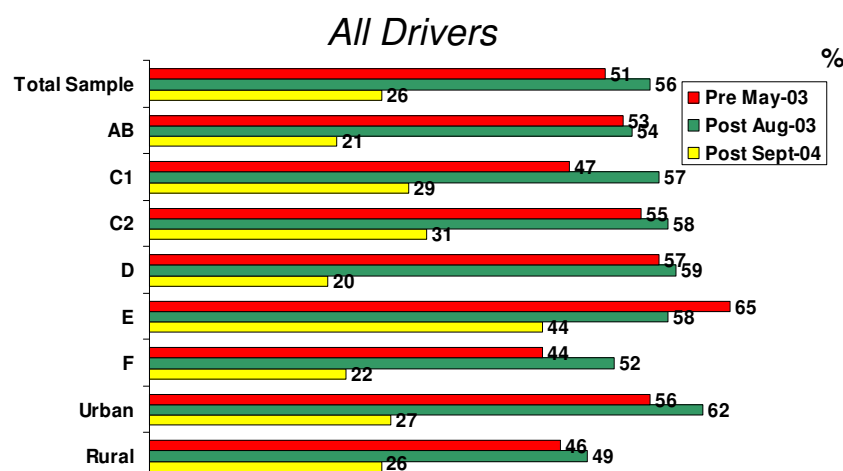
EXTENT OF AGREEMENT: FURTHER LIVES CAN BE SAVED WITH THE FULL IMPLEMENTATION OF THE PENALTY POINTS SCHEME *All Drivers*



Base: All Drivers Pre May-03 - 676 Post Aug-03 - 707 Sept-04 - 669

Figure 6: Results of an Irish pre-post-survey concerning the extent of agreement that DPS saves lives

**EXTENT OF AGREEMENT:
FURTHER LIVES HAVE BEEN SAVED WITH THE FULL
IMPLEMENTATION OF THE PENALTY POINTS SCHEME
STRONGLY AGREE**



Base: All Drivers Pre May-03 - 676 Post Aug-03 - 707 Sept-04 - 669

A survey on behalf of the road safety Authority was carried out at 2 modified motors events on young attendees in June 2010 on their behaviour, concerns and attitudes towards road safety measures. They were asked how much or how little a number of things would impact them in making them personally slow down as a driver. In relation to the question on more penalty points for speeding 47.6% said it would have a big impact and 15.9% said it would have no impact at all. They were also asked about more penalty points for younger people speeding where 48.5% said this would have a big impact and 17.8% said that it would have no impact at all.

Italy

There is no objective information available yet, but it seems to be considered as well accepted by Italian drivers, being a milestone for road safety.

Latvia

There is no scientific survey done about the acceptance of DPS by road users.

Luxembourg

There is no official information about the acceptance of DPS by road users.

Netherlands

In a survey in 2002, about 75% of all Dutch was in favour (NEA, 2002). In the same year another survey (Groeneveld, Frederikse & Mazor, 2002) showed that 85 % of the Dutch population was in favour.

Poland

There is no information about the acceptance, but people are used to this system. Police, Ministry of Transport state that there are no complains - the system is well known and is accepted.

Spain

The DPS is quite accepted.

10.1.2 Opinions

This sub-chapter displays the expert opinions about the acceptance of the DPS by road users and if the experts base their opinion on facts or evidence.

Austria

To my impression, it is generally well accepted, since it targets recidivists and the majority of the Austrian population is afraid of recidivists.

Czech Republic

- 1) Drivers that behave orderly in traffic (i.e. majority) accept the system well or neutrally. The criticism comes usually from offenders.
- 2) Due to very negative media presentation of the system at the beginning, the reputation of DPS was degraded. People are very well informed about possibilities how to avoid consequences of offences related to DPS. Majority of drivers accept and respect the system, but some (those who are less ordered) do not.
- 3) At the beginning, the system was well accepted and respected. It was soon changed for the worse as certain lawyers and journalists revealed weak points of the system and gave the instructions how to circumvent the system. Currently the DPS is rather working in case of orderly citizens that commit some offence occasionally only. Notorious offenders learned quickly how to avoid consequences.
- 4) Generally, citizens are not very happy, but the system is welcome by policemen.
- 5) Orderly drivers accept the system, offenders do not.

Denmark

- 1) Generally, the police experiences that drivers accept a point and think it is OK when they have committed a violation.
- 2) In general, people think it is ok. When it comes to people getting caught, the reactions vary. Some drivers accept a point and think it is OK because they have committed a violation. Other drivers get angry and/or try to justify their offence.

Finland

- 1) There are no real problems about the acceptance by road users. Most complains come from organisations representing lorry drivers.
- 2) The complaints come mostly from those who have had their licence withdrawn and from professional drivers (and their organisations). A large majority of drivers seem to accept the system.
- 3) I think there are no serious problems about the acceptance by road users. Road users in general are not aware of the system.
- 4) There is no objection in general. Most complaints come from organisations representing lorry drivers. However, the drivers do not understand how close our system is to actual DPS.
- 5) There are no real problems about the acceptance by road users. Majority probably approves the system.

Great Britain

- 1) I am satisfied with the acceptance by road users.

- 2) Research by Corbett et al (2008) found there was no serious objection to the DPS in general (though a minority in that study and in repeated surveys generally express objection to camera enforcement of speed limits. Majority support still generally prevails).

Greece

- 1) It is accepted by road users.
- 2) The users know the existence of the DPS and also the lack in each implementation.
- 3) The road users don't pay any attention at all.
- 4) It is difficult to be accepted from all but in Greece we have received positive feedback.

Hungary

The big problem lies in the fact that the enforcement levels in Hungary are so low. The system would work sustainably only in the presence of strong enforcement. However, since 2008 – with a stricter catalogue of points, introduction of owner's liability and many new speed cameras – we have seen a success story.

There are – from time to time - articles on drivers who lost their licence; hence there is *some* level of feedback to citizens from the system.

Ireland

See results from young people's survey (page 163).

Latvia

People think it is necessary to improve road traffic safety and agree that the DPS is good tool for achieving it.

Luxembourg

The general perception by road users seems to be positive.

Malta

- 1) It is accepted by novice drivers. For the rest of the drivers it does not apply.
- 2) They have to accept it since it is established by law.
- 3) It is accepted by the novice drivers.
- 4) It is a fair Penalty Point system.

10.2 Special Issue: Acceptance by politicians

For the acceptance by politicians, the acceptance by the public is important. The cost-benefit ratio is important; the costs should be low, the benefit high. The effects must be documented by experts.

10.2.1 Properties

Experts were asked to give information about the acceptance of DPS by politicians.

Austria

The DPS is accepted by police and policy.

Cyprus

The DPS is accepted by politicians.

Czech Republic

No study available; penalty point system used to be often one of topics of election campaigns. Particularly for MP's a modification of the existing DPS is popular and repeated topic for discussions. Nowadays the approach of politicians seems to be more constructive.

Denmark

The acceptance of DPS by politicians is high, but there is no documentation.

Finland

There are no real problems about the acceptance of DPS by politicians.

France

At present, some politicians have tried to decrease the severity of the system, which indicates in itself a non acceptance of DPS. These political strategies take place in an electoral context.

Germany

The German DPS is considered to be too complex for the citizens. Politicians want to establish easier rules for it, but the deterrent effect is not doubted (Coalition Contract of the German Government, 2009).

Great Britain

There is no information about the acceptance of DPS by politicians; it is not a political issue.

Greece

There is no information about the acceptance of DPS by politicians.

Ireland

There is no information about the acceptance of DPS by politicians; it is not a political issue.

Italy

The DPS is very much supported by politicians.

Latvia

There is no official information about the acceptance by politicians.

Malta

The DPS is accepted by politicians.

Poland

The acceptance of DPS by politicians is not on the level desired by police or experts.

Spain

The law governing the DPS (Law 17/2005) was approved by consensus of all parliamentary groups.

10.2.2 Opinions

This sub-chapter provides the expert opinions on what they think about the acceptance by politicians.

Austria

- 1) What there is now in the system is politically accepted. Including speed violations would be probably rather too difficult to achieve.
- 2) The closer to the right political sphere the lower is the acceptance.
- 3) The DPS is accepted by the police! The DPS is accepted in the politics!

- 4) The police generally see the traffic services as uncomfortable. Public servants have the “duty” to “produce” offences in order to keep their position / safeguard their job. Currently (in my district) there is a massive understaffing of police.

Cyprus

This acceptance by politicians was never studied.

Czech Republic

- 1) Similarly to citizens, there are opponents and sympathizers of DPS among politicians. Some politicians are involved in the problems of DPS, they work respectably, there are expert committees, and revision was made.
- 2) The attitude of politicians, at the beginning quite negative and irresponsible in some cases (promises of abolishment), is becoming more respectable; those who deal with DPS are rather trying to make it more effective.
- 3) Politicians are talking about road safety enough, but they do not act efficiently.
- 4) Some politicians urge the liberalization of the system, because it touches them, too.
- 5) The system has political impact; groups of enterprisers are lobbying for liberalization.

Denmark

The politicians think it is a very good measure. However, more funding of enforcement has not been given, which means limitation of the possible effects of the DPS.

Finland

- 1) Politicians can sometimes uncritically adopt misleading information about DPS.
- 2) Some lobbying organisations try to influence decision makers so that they would make the system less strict.
- 3) Most politicians accept the system, but there are exceptions.
- 4) Politicians would like to have an actual DPS. However, the reasoning is unclear.
- 5) In principle, politicians support measures that are meant to improve road safety, but they may have other motives, too. The introduction of a real DPS system in Finland has wide support among politicians.

France

It is important that the system is supported by politicians. In the opposite case, this is an open door to the non acceptance by drivers.

Germany

The acceptance by politicians may be high. The citizens know about the demerit point system and its positive effect on traffic safety is supported. Generally, the complaints come mostly from those who have received points. To grant amnesty for one-point-offenders perhaps is politically well received and earns a few votes.

Great Britain

The DPS is not a political issue.

Greece

- 1) The DPS is accepted by politicians.
- 2) Theoretically the politicians have accepted the DPS but in practise they don't invest and support its implementation.

- 3) The politicians do not pay too much attention for the system.
- 4) The acceptance by politicians is ok.

Hungary

System was first watered down by politicians, but after there was NO effect of the DPS, the political level finally agreed to install a stricter system.

Latvia

There have not been any problems with the DPS in political level.

Malta

- 1) The politicians were involved in the planning of the DPS. Therefore it is accepted
- 2) It is accepted since they were involved in drafting the regulations.

Poland

The acceptance by politicians should be higher.

Spain

Spanish politicians have shown great interest in all matters relating to road safety and this is one of them.

10.3 Summary and overview

The chapter “Acceptance” deals with what is known about the acceptance of DPS by different target groups. Thereby, a fair penalty (pointing) according to subjective risk increases acceptance. In all of the countries there seem to be no problems with the acceptance by road users. For example, there are studies in the Czech Republic and in Ireland which show that the road users find the DPS useful or are in favour of it. In other studies, e.g. in Germany, less than half of the driving population consider the DPS as a measure to increase road safety. Some experts point out, that drivers that behave orderly in traffic accept the system well, while the criticism comes usually from offenders. In general, the acceptance by politicians mostly is considered to be very high.

11 Enforcement

Enforcing the DPS is an essential part of the procedure. Topics which are discussed in this chapter are the driver and owner liability and mandatory nomination of the driver, the level of enforcement for each offence including estimations of the realized sanctions related to the DPS and cross border enforcement.

11.1 Special Issue: Driver and owner liability and mandatory nomination of the driver

In the administrative procedure, the person who has committed the offence must be identified. This becomes important when automatically detected offences are included in the DPS. So in this chapter it is discussed whether or not automatically detected offences can be included in the DPS, and if so, how the driver is identified. In some cases, it might be impossible to identify the driver, offenders may remain without punishment. Relevant for this question is also the legal system in a country. It should be ensured that the person who did the offence gains/loses the points. On purely normative-ethical grounds it is preferable to identify the vehicle driver. It must be taken into account if there are problems of legal responsibility of car owner in case that driver is not identified. One has to consider the procedure in case the offender is not identifiable. The owner could be responsible for certain offences (e.g. technical condition of the vehicle) and he could be the standard addressee for any kind of offence committed with a vehicle of his own. Administrative procedures are easier if it is not necessary for the authorities to identify the driver. It is left to the owner to either pay a ticket and take the points or to object for not having been the driver. In terms of DPS it has to be discussed if they are effective, if the driver has the chance to escape from collecting points. Points could be given to the owner, if he does not nominate the driver.

In terms of cost-benefits, it may be argued that 'owner liability' facilitates legal-evidentiary procedures, and thereby facilitates a larger effectiveness of enforcement against lower (enforcement) costs.

If a vehicle owner is not the offender, he may be forced to nominate the driver in order to enable authorities to punish the right person. In principle, this would be quite comfortable for authorities to accuse the right person. However, it is in contradiction with the constitutional right "nemo tenetur" (you cannot be bound to accuse you or close relatives).

11.1.1 Properties

Experts were asked if drivers are made liable for the offence they committed in any case. Additionally, they were asked how they ensure that the driver is identified (made liable) if one is not caught on the spot but through camera enforcement.

Furthermore, experts were asked to describe details about owner liability (implementation in law, liability in terms of DPS). This chapter provides different answers by the experts if it is mandatory to name the driver even if it's a direct relative and how it complies with their constitutional law.

Austria

The owner of the car is obliged to inform the authority upon request about who drove the car at a certain time. If the driver can be identified that way, he is made liable. Owners can only be made liable for not informing the authority. Not informing the authority is not an offence included in the DPS.

It is mandatory to name the driver. The obligation to inform the authority is accompanied by a constitutional provision: Rights to refuse information are subsidiary to the right of the authority to request the information about who drove the car. See § 102 Abs 3 KFG (Kraftfahrgesetz).

Cyprus

There is no automatic control introduced, so they do not have problems with driver identification. The vehicle owner is obliged to name the driver, even if it is a relative, and there is no constitutional problem in this.

Czech Republic

The driver is liable for the offence. But he has to be identified and his offence has to be well documented.

When the offending driver is not identified and his identity is not stated by the owner, then the owner is made responsible and he obtains respective points.

In practice, however, the owner often names so called "close person" as the driver, and then he is not obliged to reveal the identity of this person; the case then cannot be solved furthermore and is adjourned.

This problem has not been satisfactorily sorted out until now, but there exists political will to solve it. Very recently, the proposal of legal changes came into the process of political confirmation, which would enable to fine appreciably (no points) the owner of the vehicle if he does not identify the driver. This amendment was already approved by both chambers of Parliament, only the last signature by President is missing. It should enter in force since January 1, 2012.

Denmark

The point is given to the person who drives the car. Identification is done on location. Owners are not made liable for the offences committed with their vehicle. Even if identification of the driver is not possible, the owner is not obliged to inform the police about who the driver was, so it is not mandatory to name the driver.

Finland

Drivers are made liable for the offence they committed in any case. In automatic camera enforcement the driver must be identified from photo.

Owners are not made liable for the offences committed with their vehicle. If the owner/holder himself/herself is suspected of or on trial for having committed a speeding offence, he/she has the right to remain silent. So it is not mandatory to name the driver. This is in agreement with the law.

If the owner/holder is heard as a witness in the pre-trial investigation or in a court of law, he/she is under obligation to testify and indicate the driver if he/she knows their identity.

France

The driver is identified with photography in automatic camera enforcement or by police when offenders get caught on the spot.

If the owner is not the driver in case of offences, the owner has to indicate the name of the driver. If he cannot do that, he has to pay the ticket but he won't lose any point. So it is not mandatory to name the driver.

Germany

The driver is made liable for the offence. The picture which is taken by a speed camera shows the vehicle's number plate and the driver behind the wheel. The vehicle owner receives a letter and is requested to name the driver. When the driver is named, the picture of the speed camera is compared to the photo in the identity card (the police has access to all photos in identity cards and passports). If the pictures differ too much, a court procedure is initiated. The owner is made responsible to identify the driver. However, if the driver is a member of the nearest family, the owner does not need to inform

about the driver. The owner is not made liable in terms of DPS if the driver cannot be identified and so no one is punished. If the owner does not support the identification of the driver very often, he can be ordered to keep a driver's logbook.

It is not mandatory to name the driver due to the constitutional right "nemo tenetur", which is also a central element of the Law of Criminal Proceedings.

Great Britain

Drivers are made liable for the offence they committed in any case. The registered keeper of vehicle is asked who was driving to ensure that the driver is identified. Owners are not made liable for the offences committed with their vehicle. If an owner fails to identify the driver, he usually commits a separate offence. Failure to provide this information can lead to award of 6 penalty points to the keeper (under offence Code MS90) more than the 3 points usually given for speed limit breaches. This is apparently a deterrent. Hence, it is mandatory to name the driver. Compliance with constitutional law is not a problem.

Greece

In case the driver gets caught doing the offence on the spot then he/she is getting a personal ticket from the policeman. If the driver does not get caught on the spot, i.e. by cameras, then a ticket is sent as a public document to the owner of the car. The owner then has 5 days to claim that he/she did not do the offence and to identify the person who did the offence. Owners are made liable for the offences committed with their vehicle only in cases they were driving the car.

It is mandatory to nominate the driver/offender; the DPS does not mention anything about relatives.

Hungary

Hungary has now owner liability. Considering points it is still the driver who will receive them (named by the owner).

Ireland

Drivers are made liable for the offence they committed in any case.

Where an offence is detected by camera, the fixed-charge notice will be sent to the registered owner. The Road Traffic Act provides that unless another person is identified as the driver it will be assumed that the registered owner was driving the vehicle at the time of the occurrence of the alleged offence.

There is an explicit requirement that where the registered owner of a vehicle was not driving or using the vehicle he or she must give the name and contact details of the driver of the vehicle. No payment should be enclosed.

The owner is made liable in terms of DPS if the driver cannot be identified.

Ireland

Yes, it is mandatory to name the driver. It is the vehicle owner to name a driver but if they don't they will get the points. Compliance with constitutional law hasn't been an issue to date.

Italy

The driver is always considered responsible if caught on the spot. If not, the vehicle's owner must communicate data of the driver committing the offence at that time. If no communication is sent then the owner has to pay a sanction of 269 euro but no points will be deducted.

In Italy the Constitutional Court forbids to penalise persons different from the real offender. It is only allowed to impose higher monetary fines on the owner of the vehicle, if the owner was not driving while the offence was committed but there is no point deduction. Some people prefer to declare their driving in order to pay lower fines, and lose points instead.

It is not mandatory, not only to name relatives, but also any other person. Furthermore, following the Court decision the deduction of the points on the driving licence is not allowed unless the owner of the vehicle sends the personal data and driving licence number of the actual driver who committed the offence.

Latvia

If the offender is caught by a police officer, then the driver receives the penalty points and fine. If the offence is registered by photo radar, points are not assigned and vehicle owner or holder receives a fine. It is not necessary to ensure that the driver is identified (made liable) if he's not caught on the spot. If an offence is registered by photo radar, points are not assigned and vehicle owner or holder receives a fine. It is not mandatory to name the driver.

Luxembourg

Drivers are made liable for the offence they committed in any case.

It may be the case that owners are made liable for the offences committed with their vehicle. See online (Article 2bis of the law of 14th February 1955):

http://www.legilux.public.lu/leg/textescoordonnes/codes/code_route/LOI_14_FEVRIER_1955.pdf

Malta

If the driver is stopped, the offence is attributed to him. Otherwise the law provides that the vehicle owner is responsible for the offence and the therefore, penalty points are added on his driving licence. The owner must nominate the offender in order to exonerate himself from the offence.

Netherlands

The driver who commits the offence has to be identified. The policy only can ascribe points to the licence of a driver who is halted after his or her offence. The owner is only liable if he is halted and identified by the police as having committing the offence. Mandatory nomination is not relevant, only drivers who are stopped and identified can receive points.

Poland

The owner of the car is responsible for pointing out the driver. According to Highway Code, if the owner does not want to or cannot indicate a driver he/she himself/herself has to pay a ticket but he/she does not gain points. The constitutional right "nemo tenetur" is always related with criminal law, with the crimes themselves not with administrative law (offence) which DPS is connected to in Poland.

Romania

Liability is on the driver when caught. The notification of the offence is sent to the owner who then has a time period to supply the data of the driver, in case he/she was not driving. Owners are not made liable for the offences committed with their vehicle.

Spain

If the driver is not identified, the owner of the vehicle has to give information about him. The owner of a vehicle is required to help the administration to identify the driver of the vehicle at the time he committed an offence.

If not, the owner's responsibility can be assumed.

In principle, the driver is responsible for the offence that he committed. It requires the identification of the driver and, if necessary, the notification of the sanction.

The obligation to identify the driver is provided by Article 9 bis of Law 18/2009 (e.g. in case of cars' hiring enterprises).

11.1.2 Opinions

This chapter is about the opinions of the experts on making or not making only the driver liable to his offence. And the chapter is about their thoughts on measures to ensure that the driver is identified (made liable) and if the experts base their opinion on facts or evidence.

Furthermore, this chapter gives information on the expert opinions about making or not making the owner liable to offence committed with his vehicle, if the experts see any obstacles to introduce owner liability (legislation) and if they base their opinion on facts or evidence. We also learn about the expert opinions about the mandatory nomination of the driver.

Austria

- 1) The person who committed the offence should be penalised. The frontal photography would be supportive here, to identify the driver (one stumbling block in criminal proceedings would be removed, although there are enough other stumbling blocks in the criminal proceedings process). At the moment the options are very limited. It would be a perspective for the future. When one can prove culpable behaviour – it is useful. It has to be bound to a criminal charge (e.g. owner allows someone drunk to drive). It has to be always dependent on the offence.
- 2) The owner should be penalised, because he does not give the car to an unreliable person again, if punishment affects him or her. Or a static system is established, which implies that the driver has to be listed; should function without huge effort and bolt-holes.
- 3) Currently, exclusively drivers are punished by getting demerits. One problem is that point offences and probationary driving licence are difficult: often the parents protect their child so that s/he does not have to pass a driver improvement course. For example: an 18 year old commits a speed violation of 22km/h and the consequences are: fine, probationary period extended and driver improvement. The mother gets only the fine. One could make pressure that the owner of the vehicle receives a point. The offender should receive the point in any case.
- 4) To my opinion, innocent persons should not be punished, except they do not declare who is guilty. In Austria, the vehicle owner has to identify the driver in case it was not himself. This is a constitutional provision, which does not infer with Human Rights. It is inevitable to avoid cheating the system. However, cheating the system shall be avoided as good as possible.
- 5) In case of driving and resting time violations for professional drivers, the employer is also fined (registration owner). The system does not work this way regarding foreign cars. Automobile defect: fine for the vehicle owner and driver fine. In Austria the owner must provide the information about the driver. When the driver does not provide the information s/he is subject to a fine: ("failure to provide information and failure to cooperate in a proceeding"). That is a controversial procedure.
- 6) The offender shall be punished. Liability of the owner would cause injustice. Detection of the driver is wanted. There are several technical options to proof the offence (e.g. pictures, radar measurement, etc.). Primarily it is the driver's liability. Liability of the owner is subsequent. The owner can be made liable for the condition of the car.

Czech Republic

- 1) Owner's liability should be treated better; in case that the driver is not identified; the owner should not obtain points but a higher fine.
- 2) A certain simplification would be useful; an administrative procedure gives too many opportunities to the offender to avoid consequences. Criteria should be changed so that fewer cases would need to be solved in administrative procedure.

- 3) This is in good order; but the owner's liability should be treated better. Principal responsibility of owner; when he does not identify the driver or uses the right not to give evidence against close person, he should pay the fine, but not to obtain points. When the situation repeats, the fine should be mounted up.
- 4) When the offence is detected automatically, the problem of misusing the institute of close person is considerable; it concerns almost 95% of offences that are not revealed by police on the spot. Specific problem are motorcyclist, in helmets they are practically not identifiable, and on the spot, they are also hardly stoppable. I prefer principal responsibility of owner – the vehicle is practically a weapon; the driver may endanger the others, so there should be the same rules. The owner must be aware to whom he lends the car.
- 5) Police has enough possibilities how to identify drivers. Owner should be responsible, because the car is a weapon. The possibility to identify the driver is of social interest.

Finland

- 1) The driver liability is essential for a functioning and acceptable DPS. Drivers must also be reliably identified. The current system (in camera enforcement), where the owner can choose if he/she names the driver, works rather well in the sense that only in a small proportion of cases the driver remains unknown. If a stricter system is desired, the owner could be obliged to name the driver.
- 2) Making the driver responsible is OK. It would make the work of police easier if the owner/holder of the vehicle would be obliged to name the driver.
- 3) The driver liability is OK. DPS should be based on driver liability. In automatic camera enforcement the driver must therefore be recognised, or he/she should have the opportunity to name the driver. I think the owner/holder of the vehicle should have the obligation to help in the nomination of the driver. It would make it more difficult to avoid punishment for offences.
- 4) The driver liability is essential for functioning and acceptable DPS. Driver must be reliably identified.

France

The owner is responsible in case of camera enforcement. If the owner is not the driver in case of offences, the owner has to indicate the name of the driver. If he cannot do this, he has to pay the ticket but he will not lose any point.

This is the way that France found out regarding the humans rights: to denounce the person who was driving is up to you but you stay responsible for your vehicle, so then you pay the fine but you don't lose points.

Germany

- 1) Owner liability would be incompatible with the constitutional law. To sanction an offence, a culpable deed is essential. It is possible, that the owner is imposed on maintaining a driver's logbook. With the help of the logbook the driver can be determined.
- 2) There should not be a penalty without guilt. You cannot compare a car with a weapon, which has the function to hurt or kill. The car is an object of utility. An equal treatment would go too far.
- 3) I would approve the owner liability, because someone has driven. As an owner you also have duties, and one of the duties is, that you know, who the driver is.
- 4) I am a devotee of the owner liability. As an owner I know, who drives with my car. I have the right to refuse to give evidence, but then I should pay the penalty as owner. But you should not get demerit points. Mostly, the owners have pretended excuses. A motor vehicle is not without danger. That is why there is also the legal obligation to insure.

Great Britain

- 1) This issue causes a lot of problems. I would favour a rebuttable presumption in law that the owner was driving. Mandatory nomination is necessary to make the system work. Offences that are within administrative law (such as minor speeding offences), cannot be included in the list of offences in DPS. Minor speeding offences are within criminal law and are included in DPS offences. Only parking offences have been decriminalised and are not within DPS.
- 2) Owner liability would save much cost and time resource.

Greece

- 1) It is a responsibility of the authorities to find the driver and not to blame the owner.
- 2) There is no alternative solution. If in some states the owner has a piece of the blame, this is not fair. The driver should be the only responsible.
- 3) There is no owner liability. There is no penalization in points. The mandatory nomination should remain as it is now.

Hungary

There seem to be ways of avoiding to name the driver; hence not all points are in the end attached to persons. Since introduction of owner liability (and other measures) we have seen a road safety success story in Hungary.

Ireland

You have to make the driver liable because points go on the driver's licence and they have to be issued to the driver.

Ireland

A good system could not work otherwise as we need to identify the driver.

Italy

One of the tricks used by Italian drivers who know how to deceive the system is to make their own relatives, especially old ones, liable for the infraction they had committed to avoid losing points on their licence. This way it appears that grandparents aged 80 have lost their points while driving powerful cars, most likely in the middle of the night and in areas with a high number of discos and clubs. However we don't have any figure confirming this trend even if it is well known.

Previously, the Italian law on the DPS foresaw that in the event of an offence committed by a driver who could not be identified, the deduction of the number of points should have been made to the owner of the vehicle, with the exception that the owner had the chance, by the following 30 days, to communicate personal data and driving licence of the actual driver who had committed the offence. After the Constitutional Court decision in 2005 the owner can only receive a higher fine for the offence but no points' withdrawal if he doesn't declare who was driving his car at the moment of the offence.

Latvia

It requires too much recourse (money and time) to identify the driver, if the offence is registered by photo radar.

Latvia

Mandatory nomination requires too much recourse (money and time) to identify the driver, if offence is registered by photo radar.

Luxembourg

The driver must be liable for an offence.

It is fully justified that the liability of the owners is also involved for technical condition of the vehicle, tires, overload etc. There are no obstacles to introduce owner liability (legislation).

Malta

- 1) It would be ideal that the offender is punished and not the vehicle owner. But in certain circumstance it is not possible to know who the driver was. Therefore, it would be ideal if the driver will be given the chance to tell who was driving his vehicle, otherwise he shall be held responsible. The law already states that the owner is liable if he does not state who was driving the vehicle.
- 2) It would be ideal that the offender is punished and not the vehicle owner. The law stipulates that the registered owner is responsible. It would be of great help if a facial photo is taken but this is not legally possible. I agree to mandatory nomination so it will be possible to punish the offender.
- 3) The driver who commits the crime has to be punished. But the current regulations state that the registered owner of the vehicle is responsible if the driver is not stopped while committing the offence. I agree to mandatory nomination so that the vehicle owner will not be discriminated and the offender will be punished.

Poland

The driver should be identified by all means. Points should be always connected with the ticket. Mandatory nomination is a good rule because everyone is punished when he/she has committed a traffic offence.

11.2 Special Issue: Level of enforcement for each offence

The annual number of withdrawals and similar estimations can be seen either as a consequence of the driving style in a country or of the level of enforcement.

Level of enforcement could either be input or output of a DPS. There could be only widely enforced offences included or you could intensify the enforcement for offences on the DPS list. Obviously, a DPS does hardly make sense if no one is ever caught and punished for the offences within the DPS. DPS may be more effective, if the offence covered by the system receive special attention by the enforcement bodies. The list of offences should only cover offences which are enforceable. Efforts should be put on a high enforcement level for each offence listed.

11.2.1 Properties

In this chapter, the questions concerning estimations (statistics - amount of licence withdrawals due to DPS out of the total number, management etc.) of enforcement levels are answered.

Austria

- 1) There is no information about the levels of enforcement. There exists interest in knowing this.
- 2) There is not enough observation. "Evidence based" would be desirable: where is observation most effective? There has to be intensified observation; electronics can offer help. For example, there is one stoppage in 300 times drink-driving. Here it is shown, that there is too little observation in general.
- 3) In the past 2 years (in my district, one of 125 in Austria), there were no withdrawals due to DPS. There were max. 2 extensions in the past two years.
- 4) An excerpt from the register would be necessary.

Cyprus

There were about 3000 licence suspensions in 2009, resulting from the accumulation of 12 or more points.

Czech Republic

There is the central register of drivers operated by the Ministry of Transport that includes the registration of points as well. This registration is administrated very carefully and it is updated every month and published on the webpage of the Ministry of Transport

(http://www.mdcr.cz/cs/Silnicni_doprava/Ridickske_prukazy_Autokoly/Statistiky/sbh.htm).

The status information on the DPS in the Czech Republic has two parts:

- Offences and crimes
- Ranking drivers.

The information has also the regional structure enabling to compare individual regions.

In 2010, there were 659 726 drivers registered in the central register who committed an offence (9.99 % of all drivers). Most of them are male – 83 %.

The biggest group (31 %) received 2 points (speeding less than 20 km/h over the limit in urban areas and 30 km/h outside built areas, not using safety belt or helmet and breaking other commands or prohibitions given by road sign).

30 341 drivers reached the limit of 12 points and lost their driving licence (0.459 % of all drivers), 95 % were male. The highest frequency was registered in the age group 35 and 36 years, but when recalculating according the registered drivers the highest number reached the drivers in age of 26 years. The most licence withdrawals were in the age group of 24 years (1403 drivers).

Denmark

Statistics about the number of DPS offences committed in each category summed up from the start in Sep 2005-April 2011, as well as numbers of conditional withdrawals caused by DPS, exist.

The following table shows the number of driving bans and withdrawals due to DPS and in total for each year since DPS came into force:

Table 15: Number of driving bans and withdrawal in Denmark

	Number of driving bans		Number of conditional withdrawals of driver licence		Number of unconditional withdrawals of driver licence	
	In relation to DPS	In total	In relation to DPS	In total	In relation to DPS	In total
2010	516	2129	1125	10650	515	7875
2009	477	1982	1126	9857	316	7211
2008	415	1903	857	9596	182	6919
2007	350	1716	466	9146	87	6505
2006	211	1761	168	10430	40	8024

Finland

In 2010, 14,400 drivers reached the point limit of DPS so that they could have their licence withdrawn. The actual number of withdrawals was much smaller, about 9,000. 5,400 drivers were given a warning only. Of the 9,000 licence withdrawals, 1,800 (20%) concerned novice drivers.

See also explanation the answer to question 4.

The length of licence withdrawal varied as follows:

	novice	other
1 month	280	1540
1-3 months	1450	5260
3-6 months	400	70

When annually 9,000 drivers have their licence withdrawn because of repeated offences (DPS), about 6,000 licences are withdrawn annually because of a single offence.

The total number of driving licences in Finland is about 3,500,000 (population 5.35 million).

The level of enforcement has no effect on the list of offences, and vice versa.

France

On the whole in 2009, according to ONISR, 5,927,929 violations have produced point penalties. 92,123 licences have been cancelled due to the loss of points (there are more than 37 millions of driving licences in France).

80% of licensed drivers have their total capital of points which means that they did not lose any point or stay at least three years without committing offences since their last severe offences.

Concerning speed, speed cameras allow a good level of enforcement (2593 cameras in 2009). 80.7% of point losses are due to speed violations. Crashes in the environment of speed cameras have strongly decreased: 45% for casualties, 70% for fatalities.

Germany

The chasing index (or tracing index) is the ratio of the amount of specific accidents and the amount of charges filed by the police. Hence, if you have an index of 10:1, it means that 100 drivers have to be charged for right of way violations without an accident, if there were 10 right of way violations which lead to an accident. These indexes are part of target agreements of local police directions, e.g. if there are 300 accidents due to speeding, and the agreed index is 1:10, the police needs to charge 3000 drivers for speeding to reach the target agreement of the local police direction.

Great Britain

For information about the levels of enforcement see the Motoring Tables, A8.8 online: <http://www.justice.gov.uk/publications/statistics-and-data/criminal-justice/criminal-justice-statistics.htm>. E.g. in 2010, there were 22,000 disqualifications under DPS plus 94,000 instant disqualifications.

Greece

At the police there is no information about the levels of enforcement; maybe at the ministry.

Ireland

Offences can be detected by Garda (police) interception or, in the case of speeding offences, by speed cameras. Some information is available on the Garda website www.garda.ie

Spain

There are information published by the Traffic Department on the number of points, infractions, drivers with no credit of point, recidivist drivers, etc.

11.2.2 Opinions

The police, the administrative staff and the judicial staff are each asked specifically, if they have enough staff, means, and budget to enforce each offence included in DPS.

The experts were also asked, if they encounter any problems when enforcing DPS and if they base their opinion on facts or evidence like safety effects. Opinions and Information on cost benefit ratio are given, as well.

Austria

- 1) The district administrative clerks can manage the work. Especially in the field of road traffic there are often statements/opinion that there are not enough human resources – as there are so many cases to work on. In Austria there is the desire for a standardised enforcement: will try for this. It would be desirable that the Ministry offers support – to assure standardised processing (standardised enforcement). For the offences themselves (dangerous offences/abstract endangerment) in practice it is extremely difficult to execute based on the danger level. There is no information about the cost benefit ratio. In our road safety programme is stated: number of fatal accidents should be reduced by half.
- 2) As to the cost benefit ratio I do not have an answer, but I am interested.
- 3) There is never enough staff. The DPS was put in place without receiving any extra resources. There is lots of formality and strongly standardisation. There are the MUST and the CAN offences. Over 0.5 BAC = MUST, transport safety offence = CAN, today the cargo securing and technical conditions (danger in road safety must be given) are often contested: expert required. The number of offences in one act = is also often contested. Before, one would have 'paid' that with a fine and today one 'fights' in order to not receive this offence. Including each point in the Driving Licence Register is time consuming. There is no information about the cost benefit ratio
- 4) Every complaint towards staff, means and budget is prosecuted and treated primarily. There are no problems concerning the DPS. Of course problems related to the taking of evidence might occur, as this is possible with every offence. There is no cost benefit ratio.

Cyprus

Police always complains about lack of staff and budget.

There is lack of staff in the police, administrative staff, judicial staff; insufficient budget is the problem we encounter when enforcing DPS.

Czech Republic

- 1) Police: There are enough personnel, but budget is not sufficient to cover all costs (propellants, equipment). Administration is excessive, about ¼ of working hours.
- 2) Amount of detected offences depends on activity of police, there is a yearly increase, but it is manageable.

Finland

- 1) The volume of enforcement is much too small. The number of offences that should be enforced is increasing at the same time when the resources of police for traffic enforcement are decreasing.
- 2) The volume of traffic enforcement is on a rather low level. Currently only automatic speed camera enforcement covers a large proportion of traffic on rural main roads.
Police resources for traffic enforcement are scarce (both manpower and equipment).
Improving road infrastructure (self-explaining roads) could to some degree have similar effects as enforcement, but changes are slow.

- 3) There is enough information available about the levels of enforcement.
- 4) To my understanding, the volume of enforcement is not sufficient.

France

There is no information about staff, budget, cost benefit ratio available.

Germany

No, the rate of monitoring is not influenced by the DPS. The only exception is the laser measurement for speed monitoring. Drivers are only stopped, when the offence leads to demerit points or driving ban. This depends on the amount of offences. Everything else would be too extensive. The monitoring density also depends on the controllability of the offences. Speed, seat belt use and mobile phone use can be monitored well. If it is difficult to monitor offences, the monitoring is decreased. But the main killers are monitored more intensely: alcohol, speed and seat belt use. The parameter system for monitoring in Baden-Württemberg is very elaborate. Monitoring according to the chasing index has been done once for drug controls. This attempt went down the drain. The different training for the monitoring force on the one hand and the training for the accident force on the other disarrange the index.

Great Britain

See also same link, Supplementary Tables Vol. 6, Tables S6.12 and S6.13, where endorsements and disqualifications are broken down by offence type and court type:

<http://www.justice.gov.uk/publications/statistics-and-data/criminal-justice/criminal-justice-statistics.htm>.

Greece

- 1) There are police officers that forget to register violations. No, there is no evidence. No systematic work is done.
- 2) There is no processed statistical data due to the lack of personnel. The data are gathered though and can be processed at any time.

Hungary

Chances of being caught are relatively low in Hungary (see also ETSC report(s) on enforcement). No C/B evaluations are available, just the information from "The Handbook of Road Safety Measures" (Elvik & Vaa, 2004).

Ireland

Yes, there is enough staff, means and budget. System runs efficiently. Administration works well and there is a reduction in fatalities and serious Injury

Italy

The level of roadside checks in Italy is too low compared to the European average. There is a need to enforce random police controls and have more reliable data on the current number of points deducted on the Italian driving licences. It appears indeed that the highest number of points was deducted in the northern regions of Italy (just because the collection of data is significant) while the southern regions, where the lack of compliance to the traffic rules is very well-known, register the lowest one. Obviously these results are too far from reality.

Latvia

The Police are ensuring regular roadside controls and when offender is caught the point assigning process happens automatically. There is enough staff to send out the letters to the offenders.

Malta

- 1) The Police do not have enough staff to enforce DPS. The Judiciary (they input the points into the system) has enough staff. Transport Malta administers the DPS and does not have dedicated staff on the system. There is the need of more staff for enforcement, especially for the police. There is also the need that they should be well informed about the system.
- 2) The Police lack man power, but it is enforced. There is also the need of more adequate equipment to check data with Transport Malta.

Poland

Police always reports lack of staff and budget.

There is lack of staff in police, administrative staff, judicial staff, lack of politicians' support, insufficient budget.

Spain

Some municipalities do not follow the law and do not remove items without help. There is a need of more effective police and intelligence.

11.3 Special Issue: Cross border enforcement

In this chapter, it is discussed how it is dealt with offenders from other countries and offences of own citizens offending abroad.

In a European context, there should not be "free shots" when leaving the own country. This extends an invitation to all drivers to drive careless as soon as leaving the own country. It is also critical for subjects having moved their permanent residence.

11.3.1 Properties

Experts were asked to describe details about cross border enforcement, e.g., dealing with non-resident offenders or offenders living in the country but owning a licence from another country. For detailed information about the questions see the interview guidelines in Annex E.

Austria

The system is applicable to all drivers committing an offence in Austria; there is no difference between residents and non-residents, owners of an Austrian or a foreign licence.

Cyprus

The Police keep data on the foreigners who live in Cyprus and drive with a foreign licence, so that if they accumulate 12 or more points, their right to drive in Cyprus may be revoked.

Czech Republic

The DPS concerns also foreign drivers, so that they lose authorization to drive the car in the Czech Republic for one year when reaching 12 points. Offences of foreign drivers are treated in the same way as offences of Czech drivers, only registered in extra statistics. A significant proportion in the DPS are foreigners - 71 433 (10.8 %). But they commit only light offences rated by 1 point. Similarly, offences of Czech drivers are treated equally as offences of domestic drivers in some foreign countries. Concerning residents, according to laws of most countries they are obliged to have driving licence issued in the respective country.

Denmark

Foreigners can get points in Denmark. If enough points are achieved at once they may lose the right to drive in Denmark. It has no influence, where the foreigner lives. The points are registered in the

criminal register/files. Danes do not get points from convictions committed abroad – except that there is cooperation between the Nordic countries.

Finland

There are agreements between countries that enable foreign drivers to be punished in Finland, and vice versa. It is not clear, however, if offences committed by Finnish drivers abroad are counted in the current system /resembling DPS.

France

Since the 8/2/1999, a regulation states that a European person living in France keeps his/her licence but that with the first violation leading to a loss of points, this person will be given a French licence with the points taken off according to the violation.

Great Britain

As for UK non-resident offenders and offenders living in our country but owning a licence from another country, a 'ghost licence' is created. Generally, residents offending abroad are not dealt with, but there is mutual recognition of disqualification with Ireland. Relevant criteria are a place of residence, country where the licence was issued. It is all on same basis.

Ireland

Offenders living in Ireland but having a licence from another country have to pay the fine and a record of the offence is kept on the NVDF. The same applies to non-resident offenders.

Italy

The DPS system is applied in some ways also to foreign drivers holding a driving licence issued in another country and committing an offence while travelling within Italian borders. For those who hold a driving licence released from a foreign country and commit infringements of traffic rules in Italy, a database of the Dept. Of Transport and Infrastructure (CED) has been created to fill in all foreign driver's data, assigning for each of them a number of penalty points. The offence is communicated by the Police Unit to the CED. Driving a car in Italy will then be forbidden in case the foreign driver will attain an amount of 20 points for all the offences committed. More specifically if one loses all the 20 points in one year, then a ban from driving of two years is foreseen; in two years one gets a 1 year ban; between 2 and 3 years the length of the ban is then 6 months. Every country has its own system. Italy has the above mentioned measure to sanction foreign drivers. This is mainly due to the absence of either a European Directive every Member State must comply with, or a multilateral agreement between countries that setup a DPS.

Latvia

Non-residential offenders receive a fine and no penalty points are assigned. If offenders living in our own country but owning a licence from another country are registered in the Civil registry, the DPS applies to them in the same way as for drivers owning the Latvian driving licence. There is no data exchange between countries at the moment.

Luxembourg

Non-resident offenders are dealt with the same way as resident offenders. Offenders living in my country but owning a licence from another country are dealt with the same way as resident offenders. Offences of residents offending abroad are dealt with no loss of points.

Malta

The Penalty Point system is only applicable to Maltese citizens.

Netherlands

Non-resident offenders cannot get points. Offences committed abroad are not included and will not result in points.

Poland

They are only registered without points, it does not happen very often.

Offenders living in Poland but owning a licence from another country are only registered without points. Relevant criteria are the place of residence and the country where the licence/passport was issued.

Romania

Penalty points are not followed up on because of the different systems in place which are not compatible with the Romanian one

11.3.2 Opinions

This sub-chapter displays the expert opinions on the way that offenders from other countries, residents offending abroad and offenders living in the own country but owning a licence from another country are dealt with.

Austria

- 1) It is basically a general problem: the system is good for Austrian citizens – but not especially for foreign offenders – the need is on the national level – there must be a consensus on the European level that when a violation is documented – this has to be recognized by another country. Today the identification of drivers is already difficult. One can max. implement an arrest on site – once the documentation is sent to another country the ‘game’ begins. A European database is needed (certain offences, certain penalties). Italy, Hungary, Slovenia: here the criminal proceedings are suspended, e.g. due to the language problem (standard offences should be translated in multiple languages). Austrians who commit an offence in another country: there are also consequences for the offender in this country. A major problem is the driver licence tourism – this needs major management (solution at the European level with all countries involved).
- 2) It seems to be difficult legally to observe persons beyond borders.
- 3) They are included in the DPS. Although one does not know whether notification is possible: the principle is good but not possible to implement. With your residents offenders abroad? From Germany: many severe offences – could also have an impact on the driver licences in Austria. What do you think about how is dealt with offenders living in your country but owning a licence from another country? 14x no driver licence in Austria – in Czech Republic you get a driver licence: the justice system is too friendly in such situations. a) One has little influence. b) In the 3rd version of the driving licence regulations there will be an improvement: when one has a licence withdrawal in the native country – it is called ‘one is allowed to refuse a driving licence’ today: an EU country is not allowed to question the owning of a driving licence!
- 4) My practical experience as a driver is that drivers from other countries feel quite safe from being punished in Austria and behave respectfully. However, I would set up a system of automatic licence plate recognition which sounds an alarm as soon as any vehicle, which has been registered for being the tool of an offence, enters the country. Especially from Italy, but also from Eastern European countries, quite strict application of rules is communicated in the public.
- 5) An alcohol offence abroad is treated as if it had happened in Austria. When the driver is from the EU (outside Austria) the (foreign) driver’s licence is withdrawn – and upon return of the licence the driver receives an Austrian driver’s licence.

- 6) Cross border enforcement is difficult because there are different systems. Some countries don't take penal proceedings serious. It often occurs that the executive authority makes a deal. The executive authority would need coherent national contact points that would only have to make a formal examination. These contact points would have to be located in a ministry. Cross-border-enforcement: The whole legal assistance would have to be located here (SIRENE). Currently this is restricted to 8 offences.

Czech Republic

- 1) The system works well.
- 2) We should copy foreign experience; our system has no desired effect.
- 3) Existing solutions are not good, fines are hardly enforceable, and foreigners usually state that they have not enough money. The system should be simplified. Our drivers abroad have more respect to police abroad, so they commit fewer offences.
- 4) It is a serious problem that should be solved uniformly in frame of EU.

Finland

- 1) Foreign driver are not counted in the current Finnish system. This is not a big problem (unlike in some other countries).
- 2) Foreign driver are not counted in DPS. This is not a big problem. A more serious problem may be that police does not have information if foreign driver have had their licence cancelled in another country. A forthcoming EU legislation should remove this defect.
- 3) I don't know how foreign drivers are treated in the system. In principle they should be counted in the same way as others, but this is not a very important issue.
- 4) The points of non-residents collected in Finland should be transferred to the system of his or her country, and vice versa.
- 5) Foreign driver are not counted in the current Finnish system. This is not a big problem (unlike in some other countries). Transferring points from the system of one country to the system of another country could be problematic.

Germany

It is not reasonable to assign penalty points to offenders from other countries, because later, consequences cannot be succeeded.

Great Britain

It is now on a fair basis. An EU objective is to standardise penalties so that points will apply wherever given.

Greece

- 1) I don't know. A harmonisation between the countries is needed. Maybe a central database for the whole EU.
- 2) There is a directive for the exchange of the points between countries that solves this issue, but I don't know if it is implement yet.
- 3) It is dealt too mild, due to the fact that they have foreign ID and passport. DPS is not enforced in drivers from other countries according to the traffic law of Greece.
- 4) The DPS in Greece is not implemented in other countries. The authorised stakeholder is informed about the offence.

Hungary

This is a true problem. For example, take the M1 motorway from Budapest towards Vienna: most offenders are Austrians or Germans. They will be subject to a fine if caught on the spot, but will not end up in any DPS register – this is “music of the future” and should be handled in a future EU wide system.

Ireland

System works as well as it can, because we don't have access to licence information from other jurisdictions.

As mentioned, it is on record how it is dealt with offenders living in Ireland but owning a licence from another country.

Latvia

At the moment no penalty points are assigned to offenders from other countries as there is not common database of offenders across Europe. This situation will change when Convention of Driving Disqualification will be signed. There is data exchange with several European countries, but the data are not included in the DPS. There are only maximum 3 foreign offenders caught per week. It is not a very actual topic at the moment.

The same DPS applies to offenders living in our own country but owning a licence from another country within territory of Latvia.

Luxembourg

It is prerequisite how it is dealt with offenders from other countries in terms of DPS.

Malta

- 1) In Malta the DPS is only applicable to novice drivers that have a Maltese driving Licence. It should be difficult to enforce DPS on foreign drivers but the EU should setup a system in this regard.
- 2) It is only applicable to Maltese Drivers. It should be also on offenders from other countries. To implement this, require an international intervention between all the countries. The respective systems have to be linked to each other. The system does not cater for foreign driving licence holders.
- 3) Sometimes the Authority receives Maltese Driving Licences that were withdrawn from foreign Authority due offences committed by Maltese drivers. No action is taken with regards to DPS. The system does not cater for foreign driving licence holders living in our country. The DPS should cater for them as well.

Poland

There is a lack of cross border enforcement.

In 2012/2013, there will be a new law introduced which is going to solve this kind of problems about how it is dealt with offenders living in our country but owning a licence from another country.

11.4 Summary and overview

The chapter “Enforcement” deals with questions concerning the liability of offenders and their prosecution. The driver is made liable in every country, except when he or she cannot be identified. If this is the case, in some countries, the owner is made liable. The owner may have to pay a fine; in single other countries, the owner receives the points. In some countries, the owner has to nominate the driver; in other countries there is the constitutional right of “nemo tenetur”, the right to remain silent (see table 16). Most experts say that it would be ideal that the offender is punished and not the vehicle owner, but as to mandatory nomination the opinions differ. The level of enforcement could either be input or output of a DPS. There could be only widely enforced offences included or you could intensify the enforcement for offences on the DPS list. Obviously, a DPS does hardly make sense if no one is ever caught and punished for the offences within the DPS. Hence, high enforcement levels are very important for road safety. Some experts see a lack of staff and budget - especially the police - in their country to provide enough enforcement. Additionally, in this chapter, it is discussed how it is dealt with offenders from other countries and offences of own citizens offending abroad. The regulations about cross border enforcement differ between the countries and experts would like to see them more unified. Mostly, foreign offenders only have to pay a fine when offending.

Table 16: Overview on driver and owner liability

Countries	Driver liability	Owner liability	Mandatory nomination of the driver
Austria	Yes.	No**.	Yes.
Bulgaria	No information	No information	No information
Cyprus	Yes.		Yes.
Czech Republic	Yes*.	Yes.	Yes.(only for close persons not)
Denmark	Yes.	No.	No.
Finland	Yes.	No.	No.
France	Yes*.	No**.	No.
Germany	Yes*.	No.	No. ("nemo tenetur")
Great Britain	Yes.	Yes. Failure to provide information can lead to addition of 6 penalty points	Yes.
Greece	Yes.	No.	Yes.
Hungary	Yes.	Yes.	No information
Ireland	Yes.	Yes.	Yes.
Italy	Yes.	No**.	No.
Latvia	If the offence is registered by photo radar, points are not assigned	No**.	No.

Luxembourg	Yes.	No information	No information
Malta	Yes.	Yes.	The owner must nominate the offender in order to exonerate himself from the offence
Netherlands	Yes*.	No.	Not relevant
Poland	Yes.	No**.	The constitutional right "nemo tenetur" is always related with criminal law, with the crimes themselves not with administrative law (offence) which DPS is connected to in Poland.
Romania	Yes.	No. The notification of the offence is sent to the owner who then has a time period to supply the data of the driver, in case he/she was not driving.	No information
Slovenia	Yes	No	
Spain	Yes*.	Yes If the owner is not the driver, the owner has to give the information concerning the driver to the administration. If the owner does not give the information, the owner's responsibility can be assumed.	Yes (obligation of identifying the vehicle's driver e.g. in case of cars' hiring enterprises. The obligation to identify the driver is provided by Article 9 bis of Law 18/2009.)
Total (Yes/No)	18/0	6/11	6/7

* (when identified)

** (receives a fine)

12 Administration

To realize the DPS the administration has to function well. Hence, in this chapter the administrative body with its staff and costs are discussed. Additionally, the ways of processing information are looked at. The administration can differ between an automatic process and a court decision for pointing. Also, the organization can be differentiated between a central and a federal structure. Therefore, this chapter includes these topics, as well.

12.1 *Special Issue: Administrative body*

Several organizations can be responsible for the administration of a DPS, e.g., a dedicated body, police, a ministry. Thereby, the administrative burden of the operation of DPS on all levels should be low. To ensure acceptance and effectiveness, the costs of DPS should accord the benefit.

12.1.1 *Properties*

Experts were asked which organizations are responsible for the administration and enforcement of DPS, who collects the points and who is responsible for enforcing measures according to the DPS.

Austria

Points are registered in the driving licence register run by the Ministry of Transport.

Points are directly registered in the driving licence register by the authority responsible for the administrative offence procedure (in case of a criminal court procedure by the authority of the offender's place of residence).

Intermediate measures and withdrawal are enforced by the authority of the offender's place of residence. There is an automatic notification from the driving licence register to the authority when measures/withdrawal is due to be imposed.

- 1) The "point" exists once the offence is performed. A point premises a legally binding penalty. The district authority that penalises has to document it in the Driving Licence Register and then the public authorities in the place of residence are informed. Criminal proceedings: clarification, proceedings for the 2nd offence.
- 2) The Driving Licence Register does not notify the public authorities. The district authority who issues a penalty must enter the offence (if DPS-relevant) in the driving licence register; when it is noticed that the driver already had a DPS entry then the public authority of the place of residence is informed – *[which then takes further steps]*.
- 3) Yes, the authority that conducts the criminal procedure at first instance has to inform the offender. A copy of the notification is sent to the administration.

Cyprus

The police are responsible for the administration and enforcement of DPS.

Czech Republic

Authorized municipalities are responsible for treating the offence and assigning respective points to driver and their registration. Points are also registered in the Central Register of Drivers (Ministry of Transport). There are 205 authorized municipalities.

Denmark

The police are responsible for the administration and enforcement of DPS.

Finland

The police are responsible for enforcement. Finnish Transport Safety Agency (Trafi) is responsible for keeping records of offences.

The enforcement of driving licences is part of normal traffic enforcement of the police.

France

Ministry of police, overseas, territories and immigration, direction of traffic safety is responsible for the administration and enforcement of DPS.

Germany

The Federal Motor Transport Authority (KBA, Kraftfahrt-Bundesamt), established by law in 1951, and all local driving licence authorities are responsible for the administration and enforcement of DPS. The actual pointing takes place in the local driving licence authorities. The local driving licence authorities are responsible for enforcing measures according to the DPS. When a notification about an offence reaches the Central Register for Traffic Offenders, it is checked if the offenders reaches the intervention level (8, 13 or 18 points). If this is the case, the competent local driving licensing authority is informed and acts within the DPS. Otherwise it would not know about the offence.

Great Britain

Range of points is determined by Parliament. Court assigns points/orders disqualification according to offence. The Driver and Vehicle Licensing Agency (DVLA) assigns points on licence and is responsible for issuing licences following a driving ban.

Greece

The Ministry of Transport and Communications is responsible for the administration of the DPS in Greece. Responsible for the enforcement of the DPS in Greece is the police or other bodies which have the authority to enforce the Road Safety Code.

The points are registered by the Traffic department of the Headquarters of the Greek Police, which belongs at the Minister of public Safety or any other responsible authority.

The points are collected from the Department of Organisation and Information of the Ministry of Transport and Communication, or from the Department of Information of the Headquarters of the Greek Police, which belongs at the Minister of Public Safety or any other responsible authority.

The police are responsible for enforcing measures according to the DPS.

Ireland

The Garda administrates the offences; this information is then passed to the Road Safety Authority. While penalty points are endorsed on a driving licence, the points do not physically appear on the licence. Instead, the points are recorded on the driving licence record. These records are held on the National Vehicle & Driver file operated by the Department of Transport. Where fines are not paid in the administration system, the Garda issue summons and these cases are dealt with in the court system.

Italy

The Italian Ministry of Infrastructure and Transport in cooperation with Police forces are responsible.

The Ministry of Transport and Infrastructure created a specific directorate within the Dept. of Road Transport called "Anagrafe Nazionale degli abilitati alla guida" in charge of managing the Demerit Point System.

Latvia

The Road Traffic Safety Department (RTSD) is responsible for the administration of the points. When an offence is registered by a police officer, it is included in the integrated databases. After the appeal period (30 days), points are automatically assigned to the driver by RTSD. RTSD is responsible for enforcing the measures (sending out the warning letters, organizing road safety courses and tests, withdrawing drivers' licences and reinstating them).

Luxembourg

The Ministry for Sustainable Development and Infrastructure is responsible for the administration and enforcement of DPS.

Malta

Transport Malta is responsible for the system. The Police and the Local Wardens are responsible for enforcing measures according to the DPS.

Netherlands

The Public Prosecution Service records penalty points.

Poland

The police are responsible for the administration and enforcement of DPS.

Romania

The Traffic Police is the only institution responsible.

Slovenia

The Ministry of Justice is responsible for the collection of points.

Spain

The directorate is the General for Traffic (the Ministry of Interior). The local police notify the sanction to DGT (that keeps data and records).

The Directorate General for Traffic checks the balance of points of each driver through the Register of Drivers and Offenders.

12.1.2 *Opinions*

Experts were asked about their opinion about the administration of the DPS in their country.

Czech Republic

- 1) The administration is modern and working.
- 2) All should be done centrally, for above mentioned simplification.
- 3) The system is sufficient.
- 4) The system has very high demands for administration connected with documenting the offences. Equipment depends on local government, the system should be independent. Because of preclusion, many offences are not handled.
- 5) The system is sufficient.

Finland

- 1) The administration of the DPS works OK (police and Trafli).
- 2) Because several actors (police, public prosecutor, ministry of justice, Trafli) are involved delays in the handling of cases become long.

Great Britain

I am satisfied with the administration of the DPS. It generally works.

Greece

- 1) Exact responsibilities should be given to the different authorities.
- 2) The administration of the DPS lacks of organisations. Many data are lost as they transfer from one service to another.
- 3) The administration of the DPS should remain as it is now.
- 4) It is the optimum solution for the time being.

Ireland

The system is working.

Latvia

Administration of the DPS is simple and easy.

Malta

The administration of the Penalty Points is under the Authority for Transport in Malta, which takes the necessary steps to have the system functioning well.

Poland

The system is working relatively efficient, not perfect, but rather good.

Spain

The work of the Traffic Department since its implementation is being absolutely essential. Taking into account all the human and technical resources used to make the system functioning properly. Dedication of the Directorate General for Traffic is a key element.

12.2 Special Issue: Staff and Costs

There needs to be sufficient funding for administrative staff. In order to ensure the effective operation of DPS, it is interesting to know who and how many people are working on the administration and which qualifications are needed. The organizational structure is important as well.

Budgets are limited. Resources are rare. High costs of a system might decrease acceptance. It should be considered who pays for the DPS and how much the costs approximately are.

12.2.1 Properties

This sub-chapter provides answers about the administrative staff regarding the DPS and the total costs of running the DPS per year.

Austria

- 1) Per district authority (Styria: 17 district authorities), approx. 1-2 persons are working on the administration on DPS. In the regions, the ratio of staff working on the administration on DPS and licence holders is 1 person: approx. 36 persons (no full positions).
- 2) Cannot be answered: one part of the work being done. There are 4 administrative clerks: what is new is the work for documenting it in the Driver Licence Register.
- 3) This cannot be answered: it becomes one part of the work being done. In each district authority [125 in Austria], there is at least one person who is dealing with it.
- 4) There is no information about this! There are 14 federal police departments that are involved and two more district authorities. Not every authority has own employees only for the DPS.

Cyprus

4 people are working on the administration on DPS, but not exclusively for the demerit points system, at the Police Headquarters (centrally).

The calculation of the cost for running the system was never done; it would take some time to estimate.

Czech Republic

It is complicated to estimate the number of personnel working of administration of DPS on various levels because the DPS administration is in the most cases only one of the other working duties of relevant staff. There is the same problem of an estimation of the total costs similar to the staff.

Finland

This cannot be estimated. No staff is dedicated especially to DPS, but a large number of people is more or less involved in the enforcement and administration.

France

Working on the administration on DPS at the national level:

- National service of the driving licences (50 people)
- National printing service (automatic sending of letters)

Working on the administration on DPS at the local level:

- administrative services (around 200 services)
- secretariats of the Ministry (330 services)
- Police and Army services (650 services)

In France, every licensed driver is registered in the National Files of driving licences; more than 46 millions files, among which 37 millions active.

The Ministry of Police cannot communicate on the costs, as those are shared by several services. The costs are partly financed by the product of violations' fees.

Germany

In the Federal Motor Transport Authority, about 180 employees are working in the administration of the Central Register, many of them work part-time. In every office for driver licences there is at least one employer responsible. In Germany there are about 650 offices.

There are no data on the costs, but next to the personnel costs, there are operating expenses and computing costs. The costs are difficult to estimate. The employees at the offices for driver licences are paid in accordance with the German collective agreement for public employees, the wage classification is unknown. Next to these, there are also employees at the administrative fine offices.

Hungary

We have no information, but the system surely is costly.

Ireland

70 persons are working on the administration on DPS, but this does not include the collection of fines which is contracted to the Post office.

There are 2,655,048 licence holders as of the 31st of Dec 2010.

Latvia

The administration of the DPS is done by few people (2-3) (it is hard to name the exact number because actually there is no one working only with DPS). Those few employees have to take care that

letters are sent out in time and register the participants of courses or test. There are 810,162 driving licence holders in Latvia (01.05.2011).

Before introducing the DPS in Latvia, the estimated costs were 420 000 EUR per year.

Luxembourg

At the central level, 5 people are working on the administration on DPS.

The ratio of staff working on the administration on DPS and licence holders is 1:80.000.

Netherlands

This information is not known to us, perhaps interviews will reveal this. The ratio of staff working on the administration on DPS and licence holders is not known.

Poland

The administration of the DPS is on the local level, there is no information how many people work on it.

Romania

At least two officers per county (42 counties) are working on the administration on DPS but there can be up to 5, depending on the number of registered offences. Approximately there are about 100 people.

12.2.2 *Opinions*

Experts were asked about their opinion on the amount of staff working on the administration of DPS and about their opinion on the costs of DPS and if there is any information available about the costs.

Czech Republic

The system has no specialized staff for administration; usually, employers of municipality work on it. There are enough personnel. The costs are included in the common salary of the officer.

Finland

It is not easy to estimate the number of person years needed to maintain the system. Annually, about 15,000 drivers are in danger of losing their licence because they have committed 3 offences within a year or 4 offences within two years (for novice drivers 2 and 3 offences respectively). If the handling of each case takes 1 hour on the average, this would correspond to approximately 3 person years. The real amount of person years to maintain the DPS system is maybe 3–10 person years?

The cost of equipment (hardware and software) should be added to the personnel costs.

Germany

- 1) The staff in the Federal Motor Transport Authority is short-handed but adequate. There is an increasing automation of the procedure which leads to compensation.
- 2) Actually, the staff at the police is short-handed for an adequate monitoring. We have to fulfil all needs, like crime reduction etc. In traffic safety there is the need in prevention and advisory service for constructional changes, for example. Neither the personnel nor the resources are sufficient. As to the monitoring there should be an equal ratio between the citizens' freedom and the surveillance society.

Greece

- 1) I believe that the amount of staff working on the administration of DPS is enough.
- 2) There is one person working for each traffic police department. He/she is responsible for other tasks too, apart DPS. The amount of staff working on the administration of DPS is not enough.

- 3) 6-7 people in the Ministry of Transport are working on the administration of DPS.
- 4) The costs of DPS are big but inevitable.

Ireland

The staff working on the administration of DPS is adequate. I think so because there are no complaints.

Latvia

There are no employees who are working only with the DPS. It could be necessary to do more research on positive/negative effects of the DPS to the road safety.

The costs of running the DPS are insignificant compared to the gained benefit.

Malta

- 1) There is enough staff to administer the DPS well.
- 2) What I can say is that the system is kept up to date.

Poland

There should be more people working on the administration of DPS, because, e.g., in the big cities like Warsaw, there are some delays in point registrations.

12.3 Special Issue: Procedures - ways of processing information

In this chapter, administrative procedures are discussed. To develop a well-functioning DPS, one should consider the ways of processing information until an offence results in points. The average time it takes from the offence to the registering of points should be taken into account. It can be a key if punishment (i.e. point settlement) comes close after the offence. To bear in mind, offenders could probably escape by playing on time. This should not happen and therefore, information on the procedures is needed.

12.3.1 Properties

Information was gathered concerning the ways the information is processed until an offence results in points and the average duration it takes between detection of the offence, the registering of points and information of the offender about the points.

Austria

- 1) On average it takes approx. 2 months between detection of the offence, the registering of points and information of the offender about the points (notice 1. instance, longer for appeals proceedings).
- 2) Points are directly registered in the driving licence register by the authority responsible for the administrative offence procedure (in case of a criminal court procedure by the authority of the offender's place of residence). A charge is filed and then it takes according to the offence: It takes the latest within the first 3 months after the penalty. It depends when the point is accepted – eventually 2 months after the DP. If the person appeals, it can last up to one year.
- 3) On average it takes approx. 3 weeks. After the offence is reported by the police, it arrives electronically in the district authority, it is worked on in 2-3 days – and an automatic criminal order is produced. When the officer has correctly identified it, then s/he adds the text module saying that it is a DPS-relevant offence.
- 4) The registration takes place only after the legal force of the procedure. The procedure may last only a few days up to several months or years.

Cyprus

It is processed electronically, with the use of an electronic gadget that connects to the relevant database.

If the offence is settled out of court, then the registering of points is done immediately, or within 1 month, if the offender is not apprehended on the spot, and goes to a Police Station to settle the offence out of court. If the offence goes to court, then the points are registered when the case is tried, after a few months (sometimes up to 18 months).

Czech Republic

There are two options:

1. Police detects the offence and solve it on the spot (fine, agreement of driver) and informs the authorized municipality.
2. Police detects the offence and do not solve it on the spot (disagreement of the driver, too serious offence to be solved on the spot, or the offence is recorded by automated camera, or other circumstances) and remits the case to the relevant administrative body (municipality), that solves the case furthermore in administrative procedure (or the criminal procedure happens, when the offence is subjected to criminal law).

In both cases, the concrete amount of points is assigned to the driver by authorized municipality, and then the points are registered and sent to the Central Register of Drivers.

Registration of points is done usually up to 5 days from the date of delivery of information about the offence to the municipality. When the offence is not solved on the spot and administrative procedure is necessary, the driver must be informed about the date of hearing up to two months.

The administrative process should be completed up to one year from the time of offence.

The procedure of points' assignment is linked to the procedure of punishment – ordinary punishment of illegal action is a condition for assignment of points. There are no separated procedures.

Denmark

Usually the driver who commits a DPS related offence is informed about the “point” within a month.

France

Time is very variable according to the nature and treatment of the violation: automatic, juridical, penal, etc. Furthermore, one must distinguish the moment where the violation is committed and the moment when the violation is definitely registered (after the delays of possible contest, etc).

Finally, when the process is totally automated (speed camera, fee, sent letter), delays are much shorter.

On this, one must add the work load at the local level: public ministry officers (for fees) or administrative services (for judgments) are not fully affected to this mission. They have other charges. At the end, the delay of treatment must never be unfavourable to the driver.

Germany

80 percent of the administrative offences are sent to the Federal Motor Transport Authority within three months after the day of the offence. The decisive administration transfers after legal force of the decision. In 99.9%, the transfer is done electronically.

Great Britain

Either by police or civilian enforcement agency, the average time between detection of the offence, the registering of points and information of the offender about the points depends on whether it is a camera detected offence or from police, and seriousness of offence. It can take from weeks to years.

Greece

This is happening instantly, but the warning to the offenders is sent 1 month and 20 days after the offence.

Ireland

The Road Safety Authority (RSA) is responsible for the allocation of Penalty Points. After payment of a Penalty Point offence, a letter of Notification of the Allocation of Penalty Points will then be issued by post from the RSA confirming the allocation of Penalty Points on a driving licence record, and the date the points start. Since 2006, the way the penalty points system is run from an enforcement perspective has changed significantly. Most notably, the Garda fixed-charge payment system is now computerized and the Garda computer system is linked to the courts for the roll-out of the extended penalty points system. This has made the system more efficient and increased its deterrent value.

The average time between detection of the offence, the registering of points and information of the offender about the points: A person has 28 days from the date the fixed charge notice is issued to pay. Anyone who pays in the subsequent 28 days pays that amount plus 50%. Court proceedings are initiated if a fixed charge is not paid within this 56-day period. If the owner nominates a driver then they have 28 days to nominate and the procedure for the named driver will commence as soon as notification is received and he will have 28 days... same procedure over again.

Italy

The police unit that verified the offence will communicate the amount of points to be deducted to the computer archive of the Ministry of Transport. The communication is sent within 30 days since the report is finalised: that is both after the payment of the administrative fine, and in case the deadline for the right of appeal is expired or if it ended negatively for the person concerned. The Department for Land Transport informs then the driver via mail on the received communication. The law does not foresee any time constraint to be observed by the “Anagrafe Nazionale degli abilitati alla guida” to communicate the driver’s number of points deducted.

Latvia

The offence is registered in the police database. After 30 days of appeal period, points are automatically assigned to the driver by Road Traffic Safety Directorate. In total, it takes around 1 month until the driver is informed about the points.

Luxembourg

The registration is done by police.

It takes more or less within 8 days (fine) between detection of the offence, the registering of points and information of the offender about the points, depending on the court (serious offence).

Malta

The offender can either contest the offence at the Local Tribunal or at Law Courts depends on gravity of the offence. If he is found guilty penalty points are recorded.

Netherlands

The police officer has to check whether a driver, who has committed an offence within the list of point system, is a novice driver and has to note the point on the booking.

Poland

In general it does not take long from detection of the offence, to the registration of points and information to the offender about the points; nevertheless there are some delays in this procedure in big cities like Warsaw.

Romania

Points are added automatically using a special database.

The offender knows on the spot the number of points he/she was given for the offence.

12.3.2 Opinions

This sub-chapter displays expert opinions about the processing of information.

Cyprus

Sometimes the processing of information is too long.

Czech Republic

- 1) The system is a bit unwieldy; it gives too many possibilities to protract the procedure and question the case. Administrative procedure should be used only exceptionally.
- 2) I agree with the current system.
- 3) The registration of points should be done directly in the Ministry (Register); I disagree with the processing in appellate procedure.
- 4) The system is sufficient.

Finland

The delays in processing are too long, but it may be difficult to reduce them in the current legal framework.

Great Britain

The processing of information works but improvement is possible.

Greece

- 1) The information should be processed automatically through pda's from the police officer that notes the event to the Department of Ministry of transport.
- 2) Improvements should be considered.
- 3) The processing of information is good.

Ireland

The system is working well.

Latvia

All information processing is managed automatically. It is very convenient.

Luxembourg

The processing of information is appropriate.

Malta

- 1) The owner is directly informed. Therefore, he can contest the offence.
- 2) The processing of information is the responsibility of the Authority for Transport in Malta.
- 3) The information is processed regularly and the DPS is well kept.

Poland

The processing of information is ok, maybe some help is needed in Warsaw.

12.4 Special Issue: Automatic process vs. court decision for pointing

Looking at the ways of processing one can differentiate between procedures where points are automatically assigned to the offender or court procedures. Probably, there is another way in between. Automatic systems are faster, court-decision-based more accurate.

12.4.1 Properties

This sub-chapter describes how the assignment of points is linked to the procedure regarding the sanctioning of the offence and if points are automatically assigned to the offender when a fine/sentence is imposed, or if there is a separate (administrative/court) procedure.

Austria

Points are directly registered in the driving licence register by the authority responsible for the administrative offence procedure (in case of a criminal court procedure by the authority of the offender's place of residence).

Points are automatically assigned, there is no separate procedure. In case of a criminal procedure the authority of the offender's place of residence is informed by the court and registers the offence.

- 1) The administrative clerk puts the case through. He/she forwards all files where a point exists. The system produces a list and then each one has to be registered by hand.
- 2) Penalty system is constructed so that it is another person who issues the penalty as the person who decreed it; they are not the same person.

Cyprus

The Police offer the minimum number of points, as an out of court settlement. Only the court may impose points over the minimum number and up to the maximum number.

Denmark

The point is registered in an electronic way by the police. If you will not accept the point, the case goes to court. In any case the point comes into force from the day you have committed the offence.

Finland

The handling process of offences has several stages and actors: police → public prosecutor → ministry of justice → keeper of traffic licence register (Trafí). Public prosecutor is not involved in petty-fines (administrative fee) if the vehicle owner/holder does not deny that he/she was the driver (in camera enforcement).

France

In France, there is a dual system: the administrative system and the judiciary system, which are interdependent. Once you recognized your offence in front of the justice by paying the fine or when you've got your judgement, then automatically the administrative system is working, meaning that you will automatically lose some points of your driving licence.

The public ministry officer or the administrative services enter a NATAF code (different for each type of violation). The file draws automatically a number of points, and sends a message to the national printing service which sends a letter to the driver.

Germany

There is a court procedure only in cases of criminal offences and if the driver objects to the notification.

Great Britain

The range of points is determined by Parliament, Court assigns points/orders disqualification according to offence, Driver and Vehicle Licensing Agency (DVLA) assigns points on licence and responsible for issuing licences following a driving ban.

Greece

It is an automatic procedure.

Ireland

The procedure works automatically if the offence is dealt with through administration. If the case goes to court, it is still automatically assigned, although points are doubled. The courts inform the Road Safety Authority and then the full penalty points are issued.

Italy

These are administrative proceedings, as those already described.

Recent improvements make the communication of the offence and the loss of points simultaneous, but it still remains the possibility to suspend the procedure by legal resistance.

The procedure happens automatically. The police unit that verified the offence will communicate the amount of points to be deducted to the computer archive of the Ministry of Transport. The communication is sent within 30 days since the report is finalised: that is both after the payment of the administrative fine, and in case the deadline for the right of appeal is expired or if it ended negatively for the person concerned.

Latvia

Points are automatically assigned to the offender when a fine is imposed.

Luxembourg

- Automatically – fine
- Sentence - Administrative procedure

Malta

If the offender pays the fine, minimum penalty points are added automatically. The points are inputted into the system by the respective Local Tribunal or Court through a computer link with Transport Malta.

Netherlands

The police officer has to check whether the driver is a novice driver and has to add the point to the booking of the violation.

Poland

The points are automatically assigned to the offender when a fine/sentence is imposed.

Romania

The driver has the right to contest in court the notice of the event that he was given. As the penalty points are linked to this notice, they can be withdrawn by the court decision. The points do not add up towards suspension if the offender has submitted a court challenge.

Spain

The driver loses his points when the penalty becomes final.

12.4.2 Opinions

Experts were asked about their thinking about the way of assignment of points.

Denmark

The assignment of points is done administratively or by court.

Finland

- 1) The delays in processing are too long, but it may be difficult to reduce them in the current legal framework.
- 2) The delays in the process are a problem.

Germany

A court procedure happens only in cases of criminal offences and if the driver objects to the notification. A court procedure is not always necessary. The procedure is regulated by the administrative offence law (OWi-Recht) and it is a mass procedure. If the number of points was an object in a court procedure, it would lead to a massive extra effort in justice. There would be also no consistent approach to the respective number of points.

Great Britain

I am satisfied with the assignment of points.

Greece

- 1) There should be a link between traffic offence and penalty points.
- 2) The assignment of points is ok.

Hungary

There is a (separate) legal procedure for this.

Latvia

The way how points are assigned is very efficient.

Luxembourg

The assignment of points is appropriate.

Malta

- 1) The owner is directly informed. Therefore, he can contest the offence.
- 2) The information is processed regularly and the DPS is well kept.

Poland

It is a good solution and it shortens the procedure, and assures equality.

12.5 Special Issue: Organization and structure - central vs. federal

When looking at the structure and organization of the DPS, it can be differentiated between a central and a federal organization. The DPS can be centrally based or points are only registered at local authorities. Here, the question arises how it is assured that an offence in one district or state is transferred to the institution which is responsible for collecting points.

12.5.1 Properties

Information was gathered concerning the issue if the DPS is centrally based or if points are only registered at local authorities, and how it is assured that an offence in one district or state is transferred to the institution which is responsible for collecting points.

Austria

The DPS is centrally based in the driving licence register. Points are registered directly by authorities, see above.

Cyprus

The DPS is centrally based. It is processed electronically, with the use of an electronic gadget that connects to the relevant database.

Czech Republic

Points are assigned to the driver by authorized municipality and also registered in the Central Register of Drivers.

Denmark

The system is implemented nationally. It is assured that an offence in one district or state is transferred to the institution which is responsible for collecting points.

Finland

It is a centrally based system (driving licence registry).

France

At the local level, the reference code (NATAF) of the committed violation is registered. Then, the process is automated at the national level.

Germany

Central register and rural register in local authorities exist in parallel.

Great Britain

The DPS is centrally based.

Greece

The DPS is centrally based.

Ireland

The DPS is centrally based.

Italy

The DPS is centrally based. The police unit that verifies the offence communicates the amount of points to be deducted to the computer archive of the Ministry of Transport.

Latvia

The DPS is centrally based. All regional offices are connected with the common register database.

Luxembourg

The DPS is centrally based.

Malta

The DPS is centrally based within Transport Malta.

How is it assured that an offence in one district or state is transferred to the institution which is responsible for collecting points? The points are inserted by the court registrar into the system by direct link. In the Local Tribunals the points are entered by the clerk directly in the system.

Netherlands

There is a central record keeping.

Poland

The administration of the DPS is on local level but it is an on-line system, so it does not matter when and where the data are input because everything enters in one register.

Romania

The points are registered by the police department in the county where the offence took place. However, all offices have access to the database. The notice of licence suspension is given by the police department where the licence was issued.

12.5.2 Opinions

This sub-chapter displays expert opinions about the local/ central registering of points.

Austria

- 1) It must be central. E.g., a change in domicile/address must be registered centrally, so that the appropriate information is available for each administrative clerk.
- 2) It has to be centralized.
- 3) Has to be registered centrally. It is absolutely essential that it is saved Austria-wide, so that in each province there is an overview (e.g. for a change of residence). The long term goal is a EU Driving Licence Register.
- 4) Austria's Central driving licence register can be used by any authorised staff. Access is limited, which might not be feasible. In general, the tool seems appropriate.
- 5) It is important that it is all centralised, for example, when the citizen moves place of residence to another province. The system must be visible from each district authority!
- 6) Especially regarding the DPS, only a central registration of points makes sense. Offences that are severe have to be saved for five years so that these offences can be taken into consideration later.

Relevant offences are registered even without a driving licence.

Czech Republic

- 1) I agree with the current system, there should only be adjusted communication with courts related to criminal acts in traffic, especially timely delivery of punishments to the Register of Drivers so that points can be given.
- 2) Points should be assigned automatically according to the fixed taxonomy, the human factor should be excluded; the system of authorized municipalities and Central Register is OK.
- 3) I agree with the current system, it works well.

Finland

A central registering is OK for Finland.

France

The registering may have failure in the transmission process.

Germany

- 1) The local authorities have got all negative data of the people who are residents within their jurisdiction. The data consists of data about the driver's licence, assessments, notifications about the Central Register of Traffic Offenders and the Federal Central Criminal Register. Generally, the stored data is much more comprehensive than the data in the Central Register of Traffic Offenders. If all the required data was stored in the Central Register of Traffic Offenders, an extensive expansion of the data banks would have to be done. If all the data about offences and

criminal acts was stored locally, a very complex data network between all the local authorities would have to be constructed.

- 2) One should ask, if the usage of only one register can be accommodated to the Constitution. Keyword “mixed administration”. A register, which is managed by the German federation and administrated by the local authorities, is difficult.

Great Britain

- 1) I am satisfied with the registering.
- 2) There have been time lags in the past to get points imposed for one or more offences on to the central database before a driver’s record is reconsidered elsewhere. The extra year that points must remain on the licence is for courts to have the full offending history before them.

Greece

- 1) The points should be gathered centrally.
- 2) The registering is negative, it leads to fraud.
- 3) The registering is ok.

Ireland

The registering is effective for a small country.

Latvia

Since Latvia is a considerably small country (2 236 910 inhabitants (01.01.2011)), it is easy to administrate central registering of points especially as it is done automatically.

Luxembourg

The registering is appropriate

Malta

The registering works very well. The courts and the tribunals input the points into the system which is maintained by Transport Malta.

Poland

The registering is ok because everything is in the register as it is an on-line system.

12.6 Summary and overview

The chapter “Administration” provides information about all administrative issues related to DPS. Several organizations can be responsible for the administration of a DPS, e.g., a dedicated body, police, a ministry. Administration, enforcement and points collecting is sometimes done by the police only, sometimes it is divided between the court or a ministry of transport and local authorities (table 17). There is not much information available on the number of people working on the administration on DPS. In some smaller countries the employees do not only work with the DPS, they have other tasks, as well. Experts state that their system works well and that the staff working on the administration of DPS is adequate. For most of the countries there is no information available regarding the total costs of running the DPS per year. Costs are partly financed by the fees. To develop a well-functioning DPS, one should consider the ways of processing information until an offence results in points. The time it takes between detection of the offence, the registering of points and information of the offender about the points varies not only from country to country but also within countries; depending on the detection of the offence (automatic camera or police), the staff and the seriousness of the offence. In average, it takes about one to two months. A few experts state that the processing of information is too long;

others are satisfied with the process. Looking at the ways of processing information one can differentiate between procedures where points are automatically assigned to the offender or court procedures. In most of the countries, court decisions are done only in cases of criminal offences and if the driver objects to the notification (table 18). When looking at the structure and organization of the DPS, it can be differentiated between a central and a federal organization. In many of the countries, the register of points is central. Local registers are additionally available in only few countries (table 19). Central registration is favoured by the experts.

Table 17: Administrative body

Countries	Administration and enforcement of DPS	Points collecting	Enforcing measures according to the DPS
Austria	Ministry of Transport		The authority of the offender's place of residence
Bulgaria	No information		
Cyprus	Police		
Czech Republic	205 authorized municipalities	Ministry of Transport (Central Register of Drivers)	No information
Denmark	Police		
Finland	Finnish Transport Safety Agency (Trafli)		Police
France	Ministry of police, overseas, territories and immigration (direction of traffic safety)	No information	No information
Germany	Federal Motor Transport Authority and all local driving licence authorities	Local driving licence authorities	
Great Britain	Court	Driver and Vehicle Licensing Agency	
Greece	Ministry of Transport and Communications	Police (Traffic department of the Headquarters)	police or other bodies which have the authority to enforce the Road Safety Code
Hungary	No information		
Ireland	Road Safety Authority	Department of Transport	The Police
Italy	Ministry of Infrastructure and Transport in cooperation with Police	Directorate within the Dept. of Road Transport	
Latvia	Road Traffic Safety Department (RTSD)		
Luxembourg	Ministry for Sustainable Development and Infrastructure	No information	No information
Malta	Transport Malta		Police and the Local Wardens

Netherlands	Public Prosecution Service		
Poland	Police		
Romania	Traffic Police		
Spain	Ministry of Interior (Directorate General for Traffic)		
Slovenia	No information	Ministry of Justice	No information

Table 18: Automatic process vs. court decision for pointing

Countries	Automatic process	Court decision for pointing
Austria	X	
Bulgaria	No information	
Cyprus	X	The Police offer the minimum number of points, as an out of court settlement. Only the court may impose points over the minimum number and up to the maximum number.
Czech Republic	*	**
Denmark	X	
Finland	*	*** (denies that he/she was the driver - in camera enforcement)
France	X	***
Germany	X	**, *** ;
Great Britain	X	Automatic DPS process until the final penalties are issued which would have the result in disqualification. This final stage to disqualify from driving is dealt with through the courts.
Greece	X	
Hungary	No information	
Ireland	X	In case of court procedure points are doubled, but are automatically assigned. The courts inform RSA and then the full penalty points are issued
Italy	X	***
Latvia	X	
Luxembourg	X	
Malta	X	***
Netherlands	X	
Poland	X	
Romania	X	*** As the points are given automatically, the Court can withdrawn them if the driver is judged not responsible. If the driver has submitted a request to a Court, his driving licence will not be suspended.
Slovenia	No information	
Spain	X	

* Not automatic, but administrative procedure.

**Court procedure only in cases of criminal offences.

*** Court procedure only if the driver objects to the notification.

Table 19: Central vs. federal organization

Countries	Central	Federal
Austria	X	
Bulgaria	No information	
Cyprus	X	
Czech Republic	X	X
Denmark	X	
Finland	X	
France	X	*
Germany	X	X
Great Britain	X	
Greece	X	
Hungary	No information	
Ireland	X	
Italy	X	
Latvia	X	*
Luxembourg	X	
Malta	X	*
Netherlands	X	
Poland	X	*
Romania		*
Slovenia	No information	
Spain	X	
Total	17	2 + 5*

* All regional offices are connected with the common register database.

13 Monitoring and evaluating DPS

Monitoring is an important part of the quality assurance; evaluating the DPS helps to improve the quality of the system. Therefore, in this chapter regular evaluation/supervision, maintaining and optimization of the DPS are discussed. Results about the effect of the DPS and its cost-benefit ratio and estimations about driving without licence/driving while suspension are included in this chapter, as well.

13.1 Special Issue: Regular evaluation / supervision, maintaining and optimization of DPS (statistics, quality assurance)

It is good to keep in mind that there is distinction between monitoring and evaluation. Monitoring is neutral, evaluation is always critical. Second, a good scientific evaluation should be done independently (by independent authority), based on good design, focused on particular research questions, and preferably the results of the evaluation should be made public. Possibly, evaluation should also include:

- cost estimates of functioning of the system
- estimates of enforcement levels
- estimates of transparency and correctness of functioning of procedures
- estimates of public perceptions of the system
- estimates of recidivism rates by treated offenders
- estimates of offending levels
- effects of crash rates.

It is important to have regular expertise to check the acceptance/ the organization and to make the system as transparent as possible. Measures to maintain and optimize the DPS may be necessary. Additionally, it is important to have statistic tools which allow knowledge on recidivism rates especially on drivers who attended courses.

The effect of DPS should be positive, e.g. saving lives or a decrease in crash rates. Therefore, criteria to measure “positive effects” must be defined. The important question is, if there is data available about the positive effect of DPS.

13.1.1 Properties

For this chapter it was interesting to gather information if there are regular evaluations of DPS and what measures are taken to supervise, maintain and optimize the DPS.

Austria

- 1) There was a working group in the Ministry of Transport.
- 2) No, there is no routine evaluation. No, it is conducted. It is controlled that everyone is registered: IT-support, lists and queries in the Driving Licence Register, when measures have to be performed. For example, if someone commits a violation and moves into another province, this is visible by each public authority: this control is automatic – the person is registered.
- 3) Employee choices (trustworthy persons) are the key for an optimal working & quality control of the DPS.

- 4) No, but a regular evaluation would be sensible. Every authority has access to the register and so could evaluate it. Many people are working within the system. Changes of names, etc. are made there.

Cyprus

Some data are collected.

No measures are taken to supervise, maintain and optimize the DPS.

Czech Republic

Yes, regular monitoring is carried out. It is aimed to amounts of assigned points, respective offences, number of offending drivers, number of drivers that reached 12 points etc.

Statistics of point assessment of drivers are issued every month and published on web pages of Ministry of Transport. General statistics with analyses of offences in individual districts and more detailed specification of concerned drivers are done quarterly and yearly.

The data together with experiences from abroad are used for work of the parliamentary committee that continuously works together with experts on optimization of the system.

Denmark

There is no information, what measures are taken to supervise, maintain and optimize the DPS

Finland

There was no independent evaluation so far.

France

The main indicator remains the general statistics of road safety (number of fatalities, etc). Other criteria are used: increase in the number of restituted points, increase in the number of total points capital reconstitution related to the number of controls (stagnation or improvement) which may indicate an efficiency of the points licence system (better behaviours of drivers); an increase in the loss of points which is in parallel to an increase of controls indicates that there is no failure in the transmission process.

Germany

There are no regular evaluations, but annual statistics about offences (types of offences, area) and offenders (gender, age).

Every employee gets corresponding work instructions. A quality control of the data handling is accomplished. Everyday work statics are generated, so errors can be detected. If there is no notification one day, this would also be an error note.

Great Britain

The DPS is amended in the light of experience and to address specific issues.

Greece

There are no regular evaluations of DPS.

Ireland

There is no evaluation to date.

There is no supervisory group to supervise, maintain and optimize the DPS. The financial supervision is examined by the Comptroller and Auditor General who reports to the Public Accounts Committee (PAC) in Parliament.

Italy

There are no regular evaluations of DPS.

Latvia

There are no regular evaluations of DPS; the last one was done in 2006.

To supervise, maintain and optimize the DPS, the statistics of most severe and common offences are evaluated to decide if they have to be included or excluded from the DPS.

Luxembourg

There are no regular evaluations of DPS.

There is internal supervision.

Malta

The system is monitored and maintained by Transport Malta with the help of MITA (Malta Information Technology Agency).

Netherlands

There are no regular evaluations of DPS.

Poland

There are no regular evaluations of DPS.

Romania

The system is audited monthly.

Spain

There are regular evaluations of DPS every year. It is important to improve education and training in road safety and to locate new radars in sections of high concentration of accidents.

13.1.2 Opinions

Experts were asked for their opinion about the regular evaluations of DPS and the measures that are taken to supervise, maintain and optimize the DPS.

Finland

According to one of the interviewees a study was done about the acceptability of the system and how well of road users know it. The results showed that the system was well accepted. The study could not be found, however.

Great Britain

- 1) I am not currently aware on any specific studies, but it is likely that the system has been evaluated at some point.
- 2) I do not believe there has been an overall evaluation
- 3) There has been an evaluation of the deterrent effect of penalty points partly in relation to speed offences. See a summary of findings of the report by Corbett, Delmonte, Quimby, & Grayson, (2008) at:

<http://webarchive.nationalarchives.gov.uk/+/http://www.dft.gov.uk/pgr/roadsafety/research/rsrr/theme2/summary.pdf>. Also see Broughton, J. (2008), TRL PPR 181 (not available online).

Greece

There has been an update but from a group of lawyers and politicians, not including experts in road safety.

Hungary

There are no specific evaluations available. However, accident statistics show that there must be a positive impact.

13.2 Special Issue: Effect of DPS and cost-benefit ratio

The effect of DPS should be positive, e.g. saving lives or a decrease in crash rates. Therefore, criteria to measure “positive effects” must be defined. The important question is, if there is data available about the positive effect of DPS.

Preferably, point systems need to have a favourable cost-benefit ratio. The cost-benefit ratio is the most appropriate tool to identify useful investment, but monetarisation in terms of human lives and injuries is critical. Experts would agree that the costs should be as low as possible. However, if benefits are very high, the costs do not need to be very low in order to generate a favourable cost-benefit ratio. In general, the cost-benefit ratio should be positive. The effects should be documented by independent experts.

It has to be considered if a cost-benefit assessment can be executed (e.g., can costs of functioning be estimated?), and if yes, what the CBR of a DPS is.

13.2.1 Properties

This sub-chapter describes if there is data available about the positive effect of DPS and what the criteria are to measure “positive effects”.

Experts were also asked what the cost-benefit-ratio of their DPS is and how they would estimate it.

Czech Republic

There is no specific evaluation of the effects of DPS. The DPS is considered as the integrated part of safety measures included in the National Road Safety Strategy in the area of enforcement and very often coordinated with the specific public awareness activities.

In general, the DPS is considered in the Czech Republic as the effective contribution to the reduction of road casualties.

There is no independent evaluation about the cost-benefit-ratio of our DPS.

Denmark

No, there is no data available about the positive effect of DPS. After the DPS was introduced the 1st of September 2005, until August 2006 a considerable reduction in average speed was found on some roads, but the effect disappeared gradually over time.

Finland

There is no independent evaluation so far.

The effects come mainly from improved behaviour of drivers, which is difficult to measure. Hence, the cost-benefit-ratio cannot be estimated.

France

The good results (versus 2008) concerning the demerit point system seem to be directly related to the improvement of road user behaviours: (ONISR. *La sécurité routière en France. Bilan de l'année 2009*. Paris: La documentation Française):

- There is a decrease of 2% in the number of points lost.
- There is a decrease of 6 % in the suspended licences for total loss of points.
- There is an increase of 32% in the number of licences recovering all points (12 points).

- The number of offences with points deducted is almost the same through the last two years (+ 0, 2%).

The new measures taken on 2007 and 2008 contributed to this decrease in the suspended licences (a letter is sent when the loss of point is half of the capital or more, a point regained when only one point lost in one year).

Results concerning the young drivers are positive (less than 26 years): there is a decrease in the number of points lost (11% in 2009 versus 25% in 2002).

The number of offences with points deducted is 5 times more important in the last 7 years; the results are that the number of deaths on the road is reduced to nearly the half.

Germany

The positive effect is concluded from the fact that there are a lot of offenders with low point status and fewer offenders with high point status. The higher the status of points the less offenders are registered.

- 1) Only parts of our work cost fees. Looking at the positive effect of the demerit point system for the traffic safety, I would estimate the economic costs neutrally.
- 2) I have never thought about that. It is not an option for many preventive measures when looking at the aspect of traffic safety. But I think there is more on the debits side. There has been no calculation done.
- 3) If you calculate the costs of accidents and use this as a base, you would definitely be on the benefit-side. You should also consider that the state has the duty to protect its citizens. Cost concerns cannot play any part, comparable to the preventive detention.

Great Britain

I doubt any attempt has ever been made to estimate the cost-benefit-ratio of our DPS.

Greece

No, there is no data available and no cost-benefit-ratio of our DPS estimated. I would estimate the cost-benefit-ratio with research from public bodies like CERTH/HIT.

Ireland

There is nothing to establish a direct link but there is a reduction in fatalities and injuries since 2002. There are no criteria to measure “positive effects”, as there are no direct evaluations done.

Italy

- 1) Considering a symmetric two year window around the implementation of the penalty point system (1st July, 2001 – 1st July, 2005), it emerges that the new regime has reduced road accidents of about 10%, while the effect on the number of traffic injuries and fatalities is stronger, showing a reduction of respectively 15% and 25%. These findings are robust to different polynomial time trends and to the use of interaction terms between the treatment variable and the temporal trend. A negative and highly statistically significant impact on all our variables of interest emerges also when we focus on a narrow time window, considering, for example, a year before and a year after the implementation of the new system or a six month window. In addition, thanks to the availability of information on the number of per day driving offences detected by public authorities, we have analyzed the effect of the new regime on this variable. As regards this variable, we are able to exploit both changes occurring over time (before and after 1st July 2003) and across different types of offences. In fact, the penalty point system introduced in Italy in 2003 did not modify in a homogeneous way sanctions for all types of driving offences. For some types of offences, the new

system has determined a significant change, exposing the driver to the risk of having withdrawn the driving licence, while for other types of offences the change was less relevant, since these were already punished under the old system with the suspension of driving privileges. From our analysis, it emerges that the impact of the penalty point system has been very strong for the first type of offences, while a weaker effect is found for those offences that were already punished harshly by the old system. (Mariatiziana Falcone -Working Paper n. 04 - 2010 - February 2010). ASAPS has recently published a report on the Italian Demerit Point System and the outcomes achieved from its adoption in 2003 until now. (*Pierangelo Sardi, Road Safety expert*)

- 2) From the 1st of July 2003 when the DPS came into force, the 35,972,976 Italian drivers holding a valid licence lost around 68 million points. In other words, an average of 1.8 points for driver. A very small number, even less significant if distributed over more than 7 years since July 2003. The figures rise up to 3 points for young and novice drivers, aged 18 to 24 years, reaching 4.1 for the 18 to 20 age group. However, we must also mention that for novice drivers (during the first 3 years after getting their licence) the amount of points deducted is always doubled. In the 25-29 and 30-34 years age groups we estimated an average of 2.6 and 2.4 points withdrawn from each driver's licence. Over the past 7 years the Italian citizens who attended the special courses to regain up to 6 points were only 266,565 recovering totally 1,714,592 points; that is only the 2.52% among those who lost points on the driving licence. Drivers who got all the 20 points deducted were only 138,932, a microscopic percentage of 0.38% compared to the nearly 36 million drivers. An average of just 18,524 "spatentati" (drivers without licence) per year. The reason why there was so small number of participants in the special courses is due to their uselessness. First of all because, since 2003 every 2 years, every driver who has not committed any offence receives 2 extra points on the driving licence. Even those who did lose points, if they don't commit any further offence within two years, will receive all the 20 points back. Briefly, considered this 95% of the Italian driving licences gained 2 points every two years. Therefore, even if 68 million points have been deducted other 205 million points have been given as a bonus for drivers' "good behaviour". Not to mention that next July other 2 points will be assigned to each driver, adding approximately other 70 million points to the 205 ml already given. Moreover that following the August 2010 Law, novice drivers who commit no offences, will be entitled to have an additional bonus of one point during the first 3 years. (*Giordano Biserni, ASAPS Executive Director*)

Latvia

The last analysis of the positive effects of the DPS was done in 2006. The criteria to measure "positive effects" are injury accident statistics, statistics of killed and injured drivers, and statistics of committed offences. Accidents under the influence of alcohol from 2004 (the year when DPS was introduced in Latvia) to 2006 are decreased by 22% (injury accidents). The DPS is showing significantly positive improvements in accident statistics. In comparison of three years data before the introduction of the DPS, two years later all road traffic safety indicators decreased*:

- Number of injury accidents (by 14.6%)
- Number of killed (by 18.5%)
- Number of injured (by 12.2%)

After implementing changes in the DPS in 2005, the number of drunk-driving accidents decreased by more than 30 %; and the number of killed decreased by more than 40%.

There is not such an assessment as a cost-benefit-ratio conducted.

Netherlands

Dutch research (Vlakveld & Stipdonk, 2009) shows that the beginner's licence has no special preventive effect. Also no reduction in crash rate due to the introduction of the DPS could be found.

Since it has not yet been conclusively shown that the Dutch point system has saved any lives, the cost benefit ratio is likely to be 0.

Spain

There is disaggregated data available (data by regions, ages and vehicles and by urban area).

However, the first phase of implementation of DPS in Spain led to a reduction of 500 fatalities per year (it doesn't cover the urban area).

The criteria to measure "positive effects" are overall impact, variation rates (in the first two year of enforcement of DPS in Spain, the number of road deaths decreased of 23.8%).

According to the RACC evaluation, in Spain the reduction of 800 deaths per year represent a saving of € 480 million per year. This would be a first economic impact of the DPS in Spain.

Austria, Cyprus, Luxembourg, Malta, Poland

There is no data available.

13.2.2 Opinions

Experts were asked about any evidence on the effects and cost-benefit ratio.

Great Britain

Yet a benefit/cost ratio figure was produced by Allsop (2010) in regard to prevented injury crashes resulting from camera enforcement (that awards penalty points). See page 38:

<http://www.safespeedforlife.co.uk/download/speed-camera-effectiveness-allsop-report.pdf>

Hungary

No specific evaluations are available. However, accident statistics show that there must be a positive impact.

There are no cost-benefit-ratio evaluations available, just the information from "The Handbook of Road Safety Measures" (Elvik, R., & Vaa, T., 2004).

Romania

It is only mentioned that drivers tend to follow the rules because there is a higher risk of losing their licence.

13.3 Special Issue: Driving without licence/driving while suspended

There are people who continue driving although they lost their licence. The number of those people can differ from country to county and it is interesting if there is any evaluation about this circumstance.

13.3.1 Properties

Information was gathered concerning the issue about how many offenders drive although their licence has been withdrawn on the base of the DPS and if there is any evaluation about it.

Austria

- 1) It is not specified how many offenders drive although their licence has been withdrawn on the base of the DPS – it is feared that there are too many. In rural areas it is rather controllable, who is driving without a licence (social controlling), but in the city it is impossible.

To confiscate / lock the car, e.g., would be a measure. It is not effective when persons are driving without driving licence. The consequence cannot be taking away the driving licence – it rather means: “How can this gap be closed?”

- 2) In 2003, a study with a sample of 260000 licence holders between 17 and 21 years old found 0.8% of the licence holders having been punished for driving without a valid licence.
- 3) There is no alternative. How should this being prevented? Due to penalties and insure costs, driving without permission can be very expensive.

Cyprus

The Police do not have exact numbers, but quite a few drivers have been apprehended driving with their licence suspended.

Denmark

It is not relevant, as drivers only get a conditional withdrawal in relation to the DPS. There is no relevant evaluation about people who continue driving although they lost their licence.

France

It is difficult to estimate how many offenders drive although their licence has been withdrawn and is maybe a limit of the points system: drivers with no more points would keep on driving.

We can only estimate the number of drivers involved in crashes: 2.4% of drivers involved in casualties, 4.5% of drivers involved in fatalities are unlicensed drivers.

66,376 violations of unlicensed driving are registered in 2009 (licence cancelled, inadequate licence, never licensed).

Germany

There are statistics about the amount of driving-without-a-licence offences, but it cannot be concluded that all those drivers lost their licence due to a high penalty point status.

Greece

There should be some offenders driving although their licence has been withdrawn, but it is difficult to control and there is no evaluation. Not many offenders are registered until now.

Italy

There are no evaluations on how many offenders drive although their licence has been withdrawn but there is an increasing trend showing that drivers tend to drive more and more without a valid insurance together with those who drive without any licence.

Malta

There is no study on how many offenders drive although their licence has been withdrawn. Also it would be difficult to prevent them from driving.

Netherlands

There is only a general evaluation on how many offenders drive although their licence has been withdrawn – it is not specifically related to the DPS.

Romania

There is no particular difference being made between people who have their licence suspended because of the DPS or for other offences/reasons not covered (e.g. alcohol).

Czech Republic, Ireland, Latvia, Luxembourg, Poland

There is no evaluation about people who continue driving although they lost their licence.

13.3.2 Opinions

Finland

- 1) It is not known how many drivers continue driving even though they have their licence withdrawn. I do not know how common this problem is.
- 2) Driving without a licence concerns more heavy drinkers who continue to drive even after losing their licence for drunk-driving, rather than those who lose their licence because of repeated offences of other kind.
- 3) Because of DPS about 15,000 drivers could have their licence withdrawn annually because of repeated offences. However, only about two thirds of them actually have their licence withdrawn between 1 and 6 months, and one third receives a warning only.

Great Britain

I do not know how many drivers continue driving. See the latest report from 2003 on unlicensed driving and its prevalence estimates:

<http://webarchive.nationalarchives.gov.uk/20091112160519/http://www.dft.gov.uk/pgr/roadsafety/research/rsrr/theme2/researchintounlicensedreport.pdf>

Published motoring statistics do not break down various kinds of licence offences.

Hungary

There are rumours but there is no objective data. Some people may have found ways, e.g., to have two licences issued at a time or to apply for a licence in another country.

Malta

From what I recall, there is not any evaluation/study on how many drivers continue to drive after their licence has been suspended.

Poland

From police practice it is known that it happens but very rarely in relation to the lost of the licence as result of exceeding number of points.

13.4 Summary and overview

Many countries do not evaluate their DPS on a regular basis. Measures to supervise, maintain and optimize the DPS are very seldom. Malta and Luxemburg have an internal supervision. The Netherlands see a solution by automating parts of the administration. In Latvia, there are statistics of the most severe and common offenses done to evaluate those more in-depth. In Germany, there is a daily quality control of the data handling done to detect errors. They also do annual statistics about the offenses and offenders. In Great Britain, there has been an evaluation done of the deterrent effect of penalty points partly in relation to speed offences.

Country-specifically, there is only few data available on the positive effect of the DPS.

In the Netherlands, there was no reduction in crash rate. The reduction in average speed found in Denmark, disappeared over time. In Germany, the positive effect is concluded from the fact that there are a lot of offenders with low point status and fewer offenders with high point status. The higher the status of points the less offenders are registered. According to the RACC evaluation, in Spain the reduction of 800 deaths per year represents a saving of € 480 million per year. This is concluded to be a first economic impact of the DPS in Spain. Experts cannot provide much data or results from studies regarding driving without licence.

14 Others

This chapter includes the topics about the link of the amount of points with insurance premiums and about the idea to inform the employers of professional drivers about their point level.

14.1 Special Issue: Link with insurance premiums, employers (professional drivers)

Informing the insurance or employers of professional drivers on the amount of points can be compared with the criminal record which has to be presented for several reasons.

A link of the DPS to insurance premiums could work as an incentive to avoid the collection of points. The point level could be considered as a sort of "reliability score". It is interesting to know who could get access to the amount of points under which conditions in each country.

14.1.1 Properties

The experts were asked about two topics. On the one hand, information was gathered about the link between the amount of points and insurance premiums. On the other hand, experts were asked if employers of professional drivers can get information about the amount of points and generally, who could get access to the points and under which conditions.

Austria

No, there is no link between the amount of points and insurance premiums.

Employers do not get any information.

Information about points is only transferred to

- Austrian federal/regional/community institutions if they need it for the tasks transferred upon them by the law
- authorities of other states if required by the Austrian law on driving licences/European law/international treaties

Cyprus

Yes, there is a link between the amount of points and insurance premiums. Some insurance companies charge increased premiums to drivers with high numbers of points.

Czech Republic

No, there is no link between the amount of points and insurance premiums.

Employers do not obtain the information about point account of their employees automatically, but they are authorized to ask the employees to present their account statement (and possibly not to employ the driver if he refuses).

Only the owner of the account and the authorized person administrating the account (file card) have the access to the points.

Denmark

No link.

Finland

No outsider can get access to the information about points.

France

There is no a link between the amount of points and insurance premiums.

Employers of professional drivers do not get any information about the amount of points.

Germany

No company or insurance has access to the point score of an individual, but some insurance companies award a zero-point-status. The presentation of the own record and point score is voluntary.

Great Britain

Yes, there can be a link between the amount of points and insurance premiums; it depends on the insurer.

Employers of professional drivers get information about the amount of points not other than from their drivers.

Police and courts only get access to the points.

Hungary

No, there is no link between the amount of points and insurance premiums.

Employers get information about the amount of points possibly through application at the police.

Ireland

Penalty point info not provided to Insurance companies however insurance companies do ask if driver has points or not and it is assumed that they give them a reduction in premium

Employers of professional drivers do not get information about the amount of points.

Under data protection only the driver themselves, or a member of An Garda Siochana can get access to checking peoples points.

Latvia

There is not direct link between the amount of the points and the insurance. Bonus-Malus system exists, but it does not take into consideration the number of the points but only the number and severity of committed offences.

Employers of professional drivers can access the information about the amount of points via e-system.

Everyone can get access to the accumulated points of the person by submitting the request to the Road Safety Directorate.

Luxembourg

There is no link between the amount of points and insurance premiums.

Employers of professional drivers do not get information about the amount of points.

The offender only gets access to the points, on request.

Malta

No, employers of professional drivers do not get information about the amount of points.

Only the offender gets access to the points.

Netherlands

No, employers of professional drivers do not get information about the amount of points.

Poland

There is no link between the amount of points and insurance premium.

Romania

No data available but, in general, there is no particular difference being made between people who have their licence suspended because of the DPS or for other offences/reasons not covered (e.g. alcohol).

14.1.2 *Opinions*

This sub-chapter displays expert opinions both about the link of the amount of points and insurance premiums and about informing employers of professional drivers about the amount of points.

Austria

- 1) The link of the amount of points and insurance premiums would be good to consider: though in practice it is almost impossible to implement. The motivation is strongly related to monetary fines or rewards for the drivers. In many cases the employer finds out (informal ways) – though for data protection reasons this would be tricky information to provide. There are for sure arguments against this, yet the idea should be welcomed: people who are on the roads every day have a large responsibility. A driver's licence is part of the job and brings responsibility with it.
- 2) If there are consequences for your behaviour, this affects a possible change of behaviour – especially when it concerns paying money; a link of the amount of points and insurance premiums surely would have a pre-emptive effect, e.g., increase rates. It should not be made out of an instinct – has to be analyzed exactly. A simple consequence is missing → malpractice = higher assurance rate. Concerning today's observation techniques – this would be difficult to execute at the moment. The employers of professional drivers should be informed.
- 3) Measures against high risky drivers would be an additional consequence in combination with the DPS. It is an interesting idea – would require a change in law. By withdrawal of licence the employer must be informed or the owner of the registered vehicle (when it is not the driver). This would be coupled with quite a lot of work: first one has to inspect where the owner of the registered vehicle is. The idea is interesting but in practice it is too much work. From the viewpoint of the public authorities too much work is involved.
- 4) This is another case, where scientific evidence is the key. If there is a proof that drivers with a high point score are more accident-prone (which would be apparent), I strongly support that. If not, it would be another kind of monetary punishment which would interfere with the Austrian Constitution.
The system should perform well enough that the information of holding a licence or not is good enough for an employer. In certain cases it might be acceptable that the administration notifies the employer in case of licence withdrawal.
- 5) The insurance companies do not give public authorities any information about the accident frequency of road drivers. The courts do not provide the public authorities with information on verdicts related to driver licences withdrawals. When the public authorities query the criminal records register for driver licence withdrawals– they only get restricted information. Current legislation puts constraints on the public authorities' job. Example: When someone, because of endangering him/herself or endangering public safety, is committed to a "closed institution", the driver licence authority is not entitled to receive information on this. The employer should be informed, but it is a problem because usually the authority does not know who the employer is. In the driver licence regulation, it is stated that the owner of the registered vehicle is to be informed, if s/he was not the driver.
- 6) The question is how the insurance should get access to the information. Such a system would be worth consideration. High risk drivers should pay higher insurance rates. Furthermore, employers should be informed. There already is an obligation to report to the employer in a few cases. As far

as data protection law is concerned, only the offender may get information. It should be allowed to inform the employer, too.

Czech Republic

Opinions on linkage between points and insurance:

- 1) Suitable, but not realizable at the moment.
- 2) Linkage would be good, but first it is necessary to create suitable conditions, for insurance companies this would be a risky move.
- 3) I agree with insurance premiums for drivers without points, but the motivation for insurance companies must be ensured.
- 4) There should be direct linkage.
- 5) Linkage would be useful, practical realization is debatable; it would involve direct access of insurance companies to the Register. It must be treated legally.

Opinions on informing employers of professional drivers:

- 1) Employers do not obtain the information - this is treated well.
- 2) Employers should be informed, not only when receiving new employee, but continuously.
- 3) Yes, employers must be informed, but not to misuse the information.
- 4) The employer should be informed; traffic behaviour of his employees should be his interest.
- 5) The employer should be responsible for safe behaviour of his employees and should be informed; on the other hand, he should participate also on possible sanctions.

Finland

- 1) Multiple punishments should be avoided and the system should be kept simple and transparent. The connection to insurance premiums needs to be studied further. It could be legally complicated to automatically inform employers of traffic offences of their employees. This is an issue that could be dealt with in employment contracts. It should also be taken into account that employers often have much influence on how their drivers behave on the road (e.g. tight schedules, little influence on the amount of load they have to take etc.)
- 2) In principle, a link to insurance premiums could improve further the effectiveness of the system. Data protection issues might make such link impossible.
- 3) A link to insurance premiums is not a bad idea. It would increase the motivation for good behaviour.
Regarding company cars, the employer should be informed about the penalties (within DPS) employees receive when driving company cars.
- 4) Multiple punishments including insurance premiums could be discussed. In the case of professional drivers, the employers should be somehow connected to the system.
- 5) It could be in the interest of insurance companies to link insurance payments to demerit points. It could be legally complicated to automatically inform employers of traffic offences of their employees. It is not certain either, that this would be in the interest of the employer, or that it would improve road safety.

Germany

- 1) Such an incentive scheme could be a good approach, which works partly in Germany. Insurance premiums are dependent on age and accidents. There could be an insurance discount when using an accident data recorder. The link of the amount of points and insurance premiums would lead to

a constant data exchange between the insurance and the Federal Motor Transport Authority. This implies that I have to pass data about me to a third party.

- 2) To inform employers would be ineligible without legal requirements.

Great Britain

- 1) I am satisfied with the possibility of a link to the insurance premiums. I do not think employers of professional drivers should be informed about the amount of points by state.
- 2) I agree, though employers should be required to enquire about the licence status of new and existing employees regularly, since withdrawn licence status is not always reported to employers by employees.

Greece

The amount of points should be connected to the insurances premiums. And it should not only be connected negatively but also by reducing the insurance in case of good road behaviour.

- 1) The driver should be obliged to inform the employer.
- 2) The employers should send the professionals to driving schools for extra sessions regularly.
- 3) The professional drivers should be obliged from their contract to notify their employers for their points.
- 4) There should be some link. It is not an issue of the company. It has to do with the driver himself.
- 5) The link of the amount of points and insurance premiums does not exist at the moment and it should not exist generally. The insurance cost is already very high. The employers of professional drivers should be notified by the system for the points of the drivers.

Hungary

The link to insurance premiums is a good idea! It is a good idea to inform employers, e.g., in the application process for a job.

Ireland

The purpose of the system is allowing people who offend to pay fines and accept penalty points thereby not having a conviction for their offences. Therefore, the information about penalty points is not publically known, otherwise it would be a conviction.

Employers of professional drivers should not be informed about the amount of points because in Ireland it is not a conviction and is private to the individual.

Latvia

It would be useful to link the DPS with insurance premium.

It is useful for employers of professional drivers to know the amount of points his employee has gathered.

Malta

- 1) The link to insurance premiums would be a good idea. But there is the problem of Data protection. Only the Driver/offender can get the information. With regards to professional drivers, it may be allowed to inform the employer.
- 2) It is a good idea to link the DPS with insurance premium. It will result in change of driver behaviour especially when there is money involved. Obviously there would be the need to change the law so as to be able to give information to the Insurance Companies – Data protection. There are instances where the employer is indirectly informed since the registered owner is responsible for the vehicle. This happen when the driver committing the offence is not stopped by the Police /

Wardens. If the driver is stopped, the employer is not informed. It would be ideal that the employer is informed about the behaviour of his drivers. But this will consist of a lot of work which will be difficult to convince the authority to do.

- 3) The link to insurance premiums is a very good idea. It would need to change the law so as to be able to pass information to the Insurance. The current law puts restriction on the authority not to divulge information. Re-informing employers of professional drivers is difficult to handle because it requires a lot of work.

Poland

It would be profitable to have the link between the amount of points and insurance premiums, as well as informing employers of professional drivers about their amount of points.

Romania

A link with insurance premiums would be troublesome in the case of the cars being lent/borrowed to drivers with a higher risk/more points.

A link for professional drivers could be found, but it could be more of a selling point on behalf of the driver, or could be used as a company level policy. I would not favour legislation on the matter.

There is a law covering taxi drivers only, but which says that a taxi licence cannot be awarded to drivers who had their licence suspended for alcohol use within the last year. Such requirements are too loose.

14.2 Summary and overview

In most of the countries, there is neither a link with insurance premiums nor are the employers of offenders informed about the amount of points the employee has (see table 20). While the former is seen very useful by the experts, about the latter the opinions differ because some see legal difficulties as to privacy.

Table 20: Overview on links with insurance premiums and employers

Countries	Link with insurance premiums	Informing employers
Austria	No.	No.
Bulgaria	No information	No information
Cyprus	Yes.	No.
Czech Republic	No.	No.
Denmark	No.	No information
Finland	No.	No.
France	No.	No.
Germany	Some insurance grant a zero point status.	No.
Great Britain	Yes. (depends)	No.
Greece	No	No
Hungary	No.	No information
Ireland	No.	No.
Italy	No information	No information
Latvia	No.	Yes.

Luxembourg	No.	No.
Malta	No information	No.
Netherlands	No information	No.
Poland	No.	No.
Romania	No.	No.
Slovenia	No information	No information
Spain	No.	No.
<i>Total (Yes/No)</i>	3/13+	2?/15+

15 Conclusion

To sum up all the information of this deliverable, 21 of 27 EU-member states have implemented a DPS. Thereby, some DPS seem to be similar regarding several features, e.g. in France and in Spain (all drivers have 12 points, points are reduced, voluntary participation in a course leads to additional points, withdrawal when all points are lost for a period of six months), others seem to be completely different, e.g. Austria (offense = one point, points are added, participation in a course is mandatory, withdrawal period endures 3 months). Nevertheless it can be stated that none of the DPS are the same.

The deliverable at hand is the result of Work package 1 “Methodology and Data Collection”. Work package 1 aimed at collecting detailed information about implemented DPS and the general framework in different countries. The tasks of work package 1 “Methodology and Data Collection” close with this deliverable. All collected data serve as a base for work package 2 “Analysis and evaluation”. Work package 2 will analyse and evaluate the collected data. This should result in best practice guidelines for DPS. In a further step, the legal framework for implementing DPS effectively will be recommended. All results will be compiled in a handbook which provides guidelines how to implement and design an effective DPS at the European level.

Table 21: Overview of DPS in 21 EU countries and their main features

Countries	Taxonomy, calculation of points (Addition/ Subtraction)	Amount of points until withdrawal (novice drivers)	Minimum number of committed offences until withdrawal (novice drivers)	Driver improvement course (voluntary vs. mandatory)	Warning letter	Withdrawal period in months
Austria	A	3	3	M	X	3*****
Bulgaria	S	39 (27)	4	V	--	6
Cyprus	A	12	--	--	--	6-12*
Czech Republic	A	12	2-3	V	--	12
Denmark	A	3 in 3 years (2 in 3 years)	3 (2)	--	--	6*****
Finland	A	3 in 1 year or 4 in 2 years (2 in 1 year or 3 in 2 years)	3 (2)	--	X	1-6*
France	S	12 (6)	2 (1)	V/M***	X	6- 12(2 nd time)
Germany	A	18	4	V/M	X	6
Great Britain	A	12 (6)	No information	V	--	6*****
Greece	A	25 or the same violation twice	--	M****	X	6- 12(2 nd time)*****
Hungary	A	18	2	V/M****	X	6
Ireland	A	12	3	--	--	6
Italy	S	20	3 in one year (1)	V	--	none
Latvia	A	16 (10)	2	M	X	12
Luxembourg	S	12	No information	V	--	12
Malta	A	12	2	--	No information	3

Netherlands	A	3	3	--	--	none
Poland	A	24 (20)	3	--	--	none
Romania	A	15	3	V	--	1-2(2 nd time)*****
Slovenia	A	18	1	--	No information	6
Spain	S	12 (8), 8*, 15**	2	V/M****	X	3/6**
Total/Range	A=16/S=5	3-39	1-4(1-2)	V:9 / M:7	8	1-12

* For people who lost their licence

** For professional drivers

*** For novice drivers

**** As re-granting procedure

*****flexible

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ANNEX A: Working Paper Task 1.1

BESTPOINT WP1 task 1.1 Literature review

Task Lead: DTU

Participating partners: KfV, BAST, CDV, CERTH, ETSC, INRETS, ITS, RSA, TM.

Purpose:

- Collection of available literature, including relevant OECD-reports and previous EU projects' results, based on a template for information.

Task execution:

In this task two types of literature was collected:

- Literature about the design of Demerit Point Systems (DPS) in EU member states, Canada, Australia, USA was collected.
- Literature about the DPS such as evaluation studies and other studies about the effect, issues to consider etc.

For the purpose of collecting the literature two templates were developed. Template 1 was used to collect information about the DPS in different countries. Template 2 was used to collect information about studies about DPS in different countries.

All BESTPOINT partners were asked to perform a national information retrieval and to fill out the templates with the relevant information about their own country. Information about DPS in non-participating EU countries was collected by ETSC involving a voluntary effort by experts in the relevant countries. Information about USA, Canada and Australia was collected by DTU. In addition to the national information retrieval an information retrieval was performed in the relevant available databases by KfV (Austria), BAST (Germany) and DTU (Denmark).

The results of WP1 are disseminated in a working paper consisting of the following documents:

1. Working paper.
2. Annex I: The two templates used for information collection.
3. Annex II: Overview of the different DPS in EU-member countries, Canada, Australia and USA.
4. Annex III: Overview of the identified literature (scientific articles)
5. Annex IV: Overview of the identified literature (reports, book chapters, power point presentations etc.)
6. Annex V: List of references.

The working paper is made available to the BESTPOINT partners on the BESTPOINT website (restricted area). In addition, in order to make the identified literature available for the partners during the next tasks of the BESTPOINT project as many studies as possible have been collected as PDF files. These will also be available for all participants through the BESTPOINT webpage (restricted area).

Information about DPS in different countries

A Demerit Point System is: “A system in which points are entered in a driver’s record when the driver is convicted of a traffic offence; when a certain number of points have been accumulated within a certain period, the driver’s licence may be suspended”².

In recent years Demerit Point Systems have been implemented in an increasing number of countries. Today 19 out of 27 EU-member countries have a DPS. Finland has a similar system, but does not regard it as a DPS. Due to the similarities with a DPS it is never the less included here.

In Australia all states and territories have a DPS. In Canada all provinces and one of the three territories have DPS. In USA 42 of the 51 states have DPS. 8 states do not have a system they call a DPS. Never the less, offences are being collected, and when a certain limit is reached the licence is suspended. Only one state in the USA (Mississippi) does not collect points or offences in any way. However, when a driver receives a ticket, it is registered on his/her driving record, which is accessible to potential employers and insurance companies. If the ticket is not paid for in due time, the licence will be suspended.

Many different variations of DPS exist. However, suspension of the licence as the consequence of reaching the allowed limit is a shared characteristic of all systems. The systems generally differ according to the following dimensions:

1. The number and kind of convictions included in the system.
2. Whether points or convictions are collected.
3. The possibility to regain/remove penalty points/convictions.
4. The suspension period.
5. The type of road users included in the system.
6. The existence of special rules for novice drivers.
7. Whether or not information about demerit points are forwarded to the insurance company.
8. The possibility of a Good behaviour Period.
9. The possibility of doubling points under certain circumstances.
10. If and how drivers are informed about their point record

The European DPSs are very different, and there is no harmonization or connection between the different European DPSs. It is therefore not possible to identify general characteristics that distinguish the European DPSs from the DPSs in Australia, Canada and USA. Unlike the European DPSs the DPSs of Australia and Canada are very similar within each country, although minor differences exist. In USA the differences between the systems are larger.

However, one major difference between the European DPSs on one side and the DPSs of Australia, Canada and USA on the other side exist. In Australia, Canada and USA the road authorities share information about interstate offences. If an offence is committed in other state/province/territory, points will be assessed in accordance to the licence holder’s home state’s law and registered on driver’s record. This is not the case between the different European countries.

The Australian DPSs differ from the other DPSs by including the possibility of a “Good Behaviour Period” (GBP). The GBP possibility is available when a driver has reached the point limit and his/her licence is to be suspended. If the driver chooses this option, the licence will not be suspended. GBP is a 12 month period during which it is not allowed to accumulate more than 0- 2 demerit points

² Elvik, R. et al. (2009). The Handbook of Road Safety Measures. Emerald Group Publishing Limited.

(depending on state). If this point limit is exceeded the original suspension period will be doubled. The GBP is not an option to provisional or learner licence holders.

Annex II includes a general overview of the different DPSs in EU-member states, Australia, Canada and USA. Some systems (for instance the German DPS) include a very large number of convictions in their DPS. Therefore, it is not possible to list all included convictions. Instead the description of each system is based on 10 categories of convictions, which cover all included convictions. The following categories are included:

Accident offences.

Examples of convictions included in this category are: Failing to stop after an accident, failing to give particulars in relation to an accident, and failure to report an accident to the police as soon as possible.

Speeding offences.

Examples of convictions included in this category are: Exceeding the speed limit or driving too fast for weather or road conditions on any public road.

Construction and use of vehicle offences

Examples of convictions included in this category are: Failing to keep the vehicle in a safe condition (defective brakes etc.), using the vehicle in an unsafe way (too many passengers, failure to use seat belt/child restraint system, using a mobile phone while driving etc.).

Drink or drug driving offences.

Examples of convictions included in this category are: Driving under the influence of alcohol (above legal BAC limit), driving under the influence of drugs, failure to cooperate with the police (blood alcohol test, breath test etc.).

Reckless/dangerous driving offences.

Examples of convictions included in this category are: Tailgating, accelerating when being passed, following emergency vehicle, unnecessary slow driving, sudden breaking without cause.

Licence and insurance offences.

Examples of convictions included in this category are: Using a motor vehicle without a valid licence or insurance, driving after making false declaration about fitness to drive when applying for a licence, failure to notice disability, driving after a licence has been revoked or refused for medical reasons.

Highway offences.

Examples of offences included in this category are: Failure to comply with the rules regarding driving on a motorway (driving a moped on a highway, failure to yield when entering a highway and reversing).

Pedestrian crossing offences

Examples of offences included in this category are: Failure to give way to a pedestrian who has moved on to a marked crossing, stopping and parking on a pedestrian crossing, parking too close to a pedestrian crossing.

Traffic direction and signs offences

Examples of offences included in this category are: Failure to comply with traffic lights, traffic signs, violation of rail crossing and driving the wrong way on a one way street.

Miscellaneous offences

This category of offences includes offences that do not fit into any other category. Examples are: ignoring the signals of the police, leaving the vehicle in a dangerous position, motor racing on the road, failure to identify oneself on request by the police.

Literature about DPS

All identified literature was registered and listed. The following types of literature were received: Scientific articles, scientific working papers, reports, newsletters, information sheets, power point presentations including a combination of a description of a particular system and selected road safety results.

The list of references is divided into the following five sections:

1. Reports, book chapters, newsletters, power point presentations etc regarding DPS in European countries.
2. Reports, book chapters, newsletters, power point presentations etc regarding DPS in non European countries.
3. Scientific articles and working papers regarding DPS in European countries.
4. Scientific articles and working papers regarding DPS in non European countries.
5. Relevant but not included literature

The purpose of task 1.1 was to collect relevant information about DPS. Therefore only literature with an explicit focus on DPS is included. Consequently, studies on related topics such as enforcement in general, the relationship between accident history and risk behaviour and the general preventive effect of post-licence driver education are not included in the literature tables but only in the overall list of references as “related but not included” literature.

All identified literature was registered according to the information asked for in the templates used. This registration includes the focus/aim of each piece of literature, the design, method, sample and measures used. In addition the authors’ main conclusions were registered. Regarding the scientific articles and working papers this information is available in Annex III.

The registration of the studies revealed that many countries never performed an evaluation of their demerit point system. Consequently the knowledge of the safety effects as well as other effects of DPS is very limited.

Among the studies identified, most focus on the overall effect of DPS on accidents and injuries. However, a number of different main topics were identified:

- The effect of DPS on accidents, injuries, injury pattern and fatalities.
- The effect of DPS on self reported behaviour (self reported as well as objectively measured in terms of average speed etc).
- The attitude and general acceptance of DPS in the population.
- The predictive value of points/convictions in terms of accident involvement.
- Different aspects in relation to point recovery courses (experiences, participants, design etc).

With regard to the effect of DPS on accidents, injuries and self reported behaviour the studies generally indicate a positive preventive effect in terms of a decrease in accidents and injuries. Also studies reveal that the preventive effect increases as the driver approaches the point limit. However, the effect appears to be a short term effect (up to 6 months). Generally, the potential influence from confounding factors such as enforcement, campaigns, public debate is rarely measured in studies about the effect of DPS. Therefore, the knowledge about the effect of a DPS in itself is limited.

In addition the literature review reveals that no studies have looked closely into the design of the DPS system. Therefore not much is known about which convictions to include, a potential differentiated effect of different types of convictions, the optimal number of convictions to include etc. Similarly not much is known about the assignment of points. This includes issues such as the number of points to assign for each conviction, if points should be added or subtracted and if it is relevant to keep the driver informed about his/her point record and if so, how this should be done.

In terms of the acceptability of DPS in the population, results indicate a general high level of acceptance of DPS. However, results also indicate that people find DPS relevant in order to influence the behaviour of other road users, not their own behaviour.

In terms of study design the before-after design is commonly used along with a cross section design. Regarding the data used information made available based on registration of accidents and convictions by the police, is widely used. Medical records from the causality department and self reported information is also commonly used. To improve the understanding of the effect of DPS, study designs based on multiple sources of data/information might enable a more nuanced insight into the effect of DPS.

ANNEX B: Working Paper Task 1.2

BESTPOINT WP1 Task 1.2 Elaboration of definitions and justification of classification and selection criteria

Task Lead: BAST

Participating partners: MT, CDV, DTU, INRETS, RSA, VTT

Purpose:

- Formulation of effect factors of DPS that will next to system components be integrated in an overall classification grid
- Definition of characteristics of systems for inclusion in the data collection, based on the literature review (1.1)

Task execution:

In the first task 1.2 meeting the results of task 1.1 were presented and the selection criteria of SUPREME were discussed concerning their transferability to BESTPOINT. Agreement was achieved on the goal of task 1.2, namely the definition of system components and effect factors of DPS. It was agreed on the statement that the definition of best practice criteria is not the goal of task 1.2.

As general DPS objectives three main issues were identified:

- Deterrence = to deter drivers, to make them obeying to rules
- Selection = to select high risk drivers and remove them out of the traffic system
- Correction = measures (driver improvement, sanctions) to correct the drivers' offending behavior

Based on the outcomes of task 1.1, a brain storming led to the development of a list of issues to consider when looking at DPS.

In a next working step, all task 1.1 and 1.2 partners were asked to discuss the list within their organization in order to fill up the list and make comments.

After the consolidation of the additions and comments, nine general issues concerning DPS involving three or more specific issues were identified.

Table 22: Result: General and specific issues

General issue	Specific issue
10. Definition of DPS	
11. Target group related issues	Target group - all drivers Target group - novice drivers Target group - professional drivers Target group - others
12. Offence related issues	List of offences according to accident risk Criteria for including or excluding offences Criteria for "pointing" / amount of points for

	<p>specific offences</p> <p>Amount of offences involved in the catalogue</p> <p>Lifetime of points</p>
13. Intermediate measures to regain points	<p>Possibilities to reduce penalty points by participating in</p> <ul style="list-style-type: none"> - a driver improvement course - a first aid course - theoretical driving lessons - practical driving lessons - a securing load course <p>Mode of participation in a measure</p> <ul style="list-style-type: none"> - voluntary - mandatory
14. Transparency and knowledge	<p>Transparency (knowledge) of</p> <ul style="list-style-type: none"> - own amount of points - amount of points related to offences (point details) - functioning of the system (which measures at specific amount of points) <p>Timing of information of the driver</p> <p>Simplicity / Complexity of counting points</p>
15. Acceptance and enforcement	<p>Acceptance</p> <ul style="list-style-type: none"> - by road users - by police officers - by administrative stuff (management of DPS) - by judicial stuff (management of DPS)
16. Administration and enforcement	<p>Legal issues that make DPS function - owner vs. driver liability</p> <p>Anti-cheating features (anti-circumvention features)</p> <p>Legal issues that make DPS function - automatic process vs. court decision for sanctioning</p> <p>Sanctions / consequences related to points</p> <p>Organization and structure - central vs. rural</p> <p>Procedures - ways of processing information</p> <p>Cross border enforcement</p> <p>Level of enforcement for each offence</p> <p>Licence withdrawal when reaching a certain amount of points</p>

	Quality assurance
17. Evaluation and statistics	Regular evaluation / supervision, maintaining and optimization of DPS (statistics) Effect of DPS (e.g. actual number of lives saved) Cost-benefit ratio
18. Others	Re-granting period Re-granting procedure Link with insurance premiums, employers (professional divers)

Further steps:

The task leader created rules for evaluation of all components on the list. The list was then sent out to task 1.2 partners with the request to evaluate the components according to the rules. The results were meant to serve as a working base for task 1.3.

ANNEX C: Working Paper Task 1.3

BESTPOINT WP1 Task 1.3 Elaboration of tools for data collection

Task Lead: BAST

Participating partners: MT, CDV, DTU, INRETS, VTT

Purpose:

- Development of tools for collection of detailed data on promising DPS systems in task 1.4 based on classification grid and selection criteria

Task execution:

In the first task 1.3 meeting, the team decided to collect the data in task 1.4 by means of face-to-face or telephone interviews. As a consequence, the team of task 1.3 needed to create interview guidelines as a tool for data collection. Therefore, the results of task 1.2 were discussed and within the meeting, the issues identified in task 1.2 were characterized more in detail. Based on basic comments and suggestions from some partners, the issues were re-structured. The new, more complex, but better structured issues were then transformed to a table in an excel file. Each partner took over responsibilities to fill the table with information which was already gathered in task 1.1:

- Information from the literature on evidence concerning each issue
- Information on existing DPS in European countries

All filled up tables were consolidated by the task leader in order to identify “white spots” (parts not yet filled in the table) concerning missing evidence or missing country information. The “blind spots” served as a base for the development of questions for the interview guidelines. For each country, specific interview guidelines were developed. Thereby the questions all remained the same, but the pre-filled information differed between the countries. The starting question focused on the general aim of the DPS in the country at hand (What is the aim of the DPS in your country?). Question regarding the property and actual performance of the specific issues were formulated like e.g. “How do you deal with...?”. Expert opinions were requested with “What do you think about...?”. Experts were also asked for reasons for this opinion like “Why do you think so?” and for any hard evidence or safety facts. The interview guidelines are attached in Annex I. The team agreed to interview experts from the following institutions:

- Ministry of Transport
- Authority running the DPS
 - Central Authority
 - Local Authority
- Ministry of Interior/Police
- Ministry of Justice
- Road Safety Experts
- Researchers doing Evaluations

The interviews were executed within task 1.4.

ANNEX D: Working Paper Task 1.4

BESTPOINT WP1 Task 1.4 Data collection

Task Lead: INRETS

Participating partners: KfV, MT, BAST, ETSC, CDV, CERTH, DTU, ITS, RSA

Purpose:

- Collection of detailed information about implemented systems and the general framework in the partner countries, as well as in countries not involved in EU27
- Compilation of a report by using processed data

Task execution:

In order to gather detailed information about implemented DPS, face-to-face and telephone interviews with different experts were carried out in task 1.4. The interview guidelines were developed in task 1.3. They contained detailed questions on the following issues:

1. Aim of the DPS
2. Target group related issues
3. Offence related issues
4. Intermediate measures
5. Licence withdrawal
6. Transparency & information
7. Acceptance
8. Enforcement
9. Administration
10. Monitoring
11. Others

The interview guidelines were pre-filled with information about implemented systems gathered in task 1.1. As not for each country information about the same issues was already available, for each country specific guidelines were developed. All partners involved in task 1.4 took over responsibility to carry out interviews in the own country and in one or two other EU countries. Responsibilities were distributed as follows:

KfV - Austria, Hungary

MT - Malta, the Netherlands

BAST - Germany, Slovenia

ETSC - Spain, Italy, Romania

CERTH - Greece

DTU - Denmark, Latvia

ITS - Poland, Cyprus

RSA - Ireland, Great Britain

VTT agreed to carry out interviews in Finland, although they were not involved in the task.

Each partner was asked to contact own contact persons in the country he/she was responsible for. ETSC also provided the team with contact data in all countries and informed the interview partners prior to interviews. In parallel, the European Commission informed all countries about the interview procedure by a cover letter.

Persons from different areas were considered as experts, and hence, potential interview partners:

- Ministry of Transport
- Authority running the DPS
 - Central Authority
 - Local Authority
- Ministry of Interior/Police
- Ministry of Justice
- Road safety research
- Evaluation research

As the list of questions in the interview guideline was rather long, the interview partners were not informed about the questions prior to the interview. Instead, they were asked in advance for an appointment for a one-hour interview. In case that questions remained open after the interview, the interview partners were asked to gather the necessary information afterwards or name a different contact which may be capable to answer.

The following table lists the experts who served as interviewees:

Table 23: Experts

Expert	Position	Institution
<i>Austria</i>		
Goldgruber, Peter	Head of the Security Police	Police Vienna, Security Police
Haberl, Herbert		Administrative District Authority Tirol
Risser, Ralf	Road Safety Expert	"FACTUM" Vienna
Stuehlinger, Georg		Administrative District Authority Weiz
Weiß, Peter		Administration of the Government of the Federal State Styria
Winkelbauer, Martin	Researcher doing Evaluations	KfV Austria Road Safety Board
<i>Cyprus</i>		
Constantinou, Eleni		Ministry of Interior/Police
Efstathiou, Maria		Ministry of Interior/Police
Morfakis, George		Ministry of Transport, Communications and Works
<i>Czech Republic</i>		
Bezděkovský, Karel	Drivers' Training Expert	Ministry of Transport
Decarli, Ladislav	Counsellor at law	Ministry of Transport
Kasal, Jiří	Traffic Offences Manager	Local Authority running the DPS

Kelnar, Vratislav	Road Safety Expert	Independent expert
Rehnová, Vlasta	Road Safety Expert	Association of Traffic Psychologists
Vafek, Michael		Ministry of Interior/Police
<i>Denmark</i>		
anonymous		
anonymous		
<i>Finland</i>		
Lammi, Antero		Central Organization for Traffic safety
Peltola, Harri		VTT Technical Research Centre of Finland
Pylväs, Kimmo		Ministry of the Interior
Tarvainen, Anna-Liisa		Ministry of Transport and Communications
<i>France</i>		
Fraisse, Eglantine	Central Authority running the DPS, national service of the driving licences	Ministry of interior
Valmain, Joel	Technical councillor, DSCR	Ministry of Interior, Délégation à la Sécurité et à la Circulation Routières
Wattez, Aurélien	Chef de département - DSCR/CA"	Ministry of Transport
<i>Germany</i>		
Buchardt, Ingo	Responsible for local authorities running the DPS	Ministry of Infrastructure and Agriculture of the Federal State of Brandenburg, Department Road Traffic
Gellner, Julia	Section "III B 6 Consumer protection; public law relating to agriculture, forestry and food; traffic law"	Ministry of Justice
Tervooren, Christina	Head of the Section "Administration of the Central Register of Traffic Offenders"	Central Authority running the DPS, Federal Motor Transport Authority
Weinstock, Volker	Section "Traffic"	Ministry of Interior of Baden Württemberg
<i>Great Britain</i>		
Corbett, Claire	Director of the Criminal Justice Research Group (Author of "Car Crime")	Criminal Justice Research Group, Brunel University
Gifford, Robert		PACTS, Parliamentary Advisory Council for Transport Safety
Hunt Cooke, Chris	Chairman	MA Road Traffic Committee
<i>Greece</i>		

Latsinos, Andreas		Ministry of Transport
Germanos, Thomas		Ministry of Interior/Police, Central Authority running the DPS
Pitsiava-Latinopoulou, Magda	Road Safety Expert	
Mintsis, George	Road Safety Expert	
Basbas, Sokratis	Road Safety Expert	
Yannis, George	Road Safety Expert	
<i>Hungary</i>		
Hollo, Peter	Road Safety Expert	KTI Institute for Transport Sciences
<i>Ireland</i>		
Brogan, Mary	Driver Licensing Section	Road Safety Authority
Brosnan, Michael	Research Manager	Road Safety Authority
Farrell, Brian	Communications Manager	Road Safety Authority, Fixed Charge Processing Office
McDonnell, John	Inspector, An Garda Siochana	Fixed Charge Processing Office
<i>Italy</i>		
Biserni, Giordano	Road Safety expert	ASAPS (Associazione Sostenitori Amici Polizia Stradale)
Sardi, Pierangelo	Road Safety expert	SIPSiVi
Sgalla, Roberto	Director of Traffic Police	Traffic Police at the Ministry of Interior
<i>Latvia</i>		
Lama, Aldis	Road Traffic Safety and Accidents Database Expert	Road Traffic Safety directorate
Teteris, Juris	Head of Drivers Training and Testing Department	Road Traffic Safety directorate, Drivers Training and Testing Department
Golubevs, Janis	Alternate of Head of Legal Department	Road Traffic Safety directorate, Legal Department
Zivtins, Edmunds	Head of Deterrence Department	Latvian State Police, Deterrence Department
<i>Luxemburg</i>		
Frising, Guy	Inspector, DCSR	Ministry of sustainable development, Department of Transport
Heintz, Guy	Main Inspecteur, DCSR	Ministry of sustainable development, Department of Transport
Medinger, Isabelle	Road Safety Expert, director	asbl
<i>Malta</i>		
Agius, Gilbert	Senior Manager (Regulatory)	Local Authority running the DPS
Muscat, Josie	Assistant Police Commissioner	Ministry of Interior/Police
Pule', Konrad	Chief Office	Central Authority running the DPS, Chief

		Office
<i>Netherlands</i>		
Goldenbeld, Charles	Researcher doing Evaluations, Senior Researcher	SWOV
Vlakoveld, Willem	Road Safety Expert, Senior Researcher	SWOV
<i>Poland</i>		
Fidos, Marek	Director of the Road Traffic Office, Headquarter of the Police	Central Authority running the DPS, Road Traffic Office, Headquarter of the Police
Jankowski, Leszek	Road Traffic Office, Headquarter of the Police;	Central Authority running the DPS, Road Traffic Office, Headquarter of the Police
Kania, Robert	Headquarter of the Police	Central Authority running the DPS, Road Traffic Office, Headquarter of the Police
Jasinski, Adam	Ministry of Transport, National Road Safety Council	
<i>Romania</i>		
Toma, Paul	Chief Police Officer	Romanian Traffic Police
<i>Spain</i>		
anonymous		CNAE – Nacional Confederation of Driving Schools
Hidalgo de Morillo Jiménez, Agustín	Prosecutor at the Road Safety Prosecutor's Office	Ministry of Justice, Road Safety Prosecutor's Office, Crown Office (Fiscalía General del Estado)
M ^a Pérez Llorca, Fdo. José	Official responsible	Local Police of Paterna, traffic unit
Pulido, José	Author of the study "Impact of the demerit point system on road traffic accident mortality in Spain"	RACC Automóvil Club
Sanmartin, Jaime		Research Institute on Traffic and Road Safety, University of Valencia
Toledo Castillo, Dr. Francisco	Director del Grupo INFORSE (Innovación en Ferrocarril, Seguridad Vial y Ergonomía)	Grupo INFORSE (Innovación en Ferrocarril, Seguridad Vial y Ergonomía), University of Valencia
Maria Anuncia Ocampo Sanchez	DGT – Ministry of Interior	Head of Research and Statistics Area.- National Road Safety Observatory.- Dirección General de Tráfico.- Ministerio del Interior.

The interviews were conducted in the period between middle of May and end of June. The results of the interviews were sent back to the interviewees thus they were able to correct or confirm their answers. All task 1.4 partners were requested to send the interview results until June 30th 2011 to the

WP leader who then consolidated all results and the information from the literature in the deliverable of WP 1.

ANNEX E: BestPoint WP 1 Interview Guidelines

DPS in					
General Issue	Specific Issue	Which or what?	Why - why not?	Question - properties	Questions - performance
		<i>Brief clear description, differentiation and characterization of the specific issue</i>	<i>Reasons, advantages and disadvantages particular choices or procedures</i>		<i>Opinion, evidence,...</i>
DPS	Definition, objective	Definition and function, definition by law Prevention, selection, correction?		How is the DPS defined? What is the objective of your DPS? Is the definition/objective fixed by law? When was the system introduced? Prevention, selection, correction?	
T A R G E T G R O U P	1 Target group - all drivers	General question whether DPS should target all road users or should exclude particular categories of drivers, or, include only particular categories of drivers.	DPS aim at general prevention for all road users, as well as selection and correction of high risk drivers.	Does the DPS target all motor vehicle users? Is it necessary to own a driving licence to be targeted?	What do you think about including or excluding persons who do not own drivers licence? Why do you think so? Do you have any evidences for your opinion? Any facts about safety effects?
	2 Target group - novice drivers	Should DPS treat novice drivers differently?	Novice drivers pose a higher risk in traffic. There is a range of other measure targeting the particular risks of novice drivers.	Does the DPS treat novice drivers differently? If yes, how?	What do you think about treating novice drivers differently? Why do you think so? Do you have any evidences for your opinion? Any facts about safety effects?

	3 Target group - professional drivers	Should professional drivers be treated differently? Definition of "professional driver"?	Professional Drivers may differ from the average in mileage, exposure, training, retraining and education as well as responsibility, in case of trucks, busses and dangerous goods in exposing risk to others. Further, they lose the basis of their income when losing the driving licence.	Does the DPS treat professional drivers differently? If yes, how? What is the definition of "professional driver"? (Which drivers are considered as professional?)	What do you think about treating professional drivers differently? Why do you think so? Do you have any evidences for your opinion? Any facts about safety effects?
	Target group – others	4 Cyclists	Compliance to rules is important for all modes, in particular if the person concerned as holding a driving licence	Does the DPS include cyclists? If yes how are cyclists included? (are all cyclists included, which convictions are included, how are the points assigned etc.)? Are cyclists treated differently – how?	What do you think about including cyclists? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?
		5 Pedestrians		Does the DPS include pedestrians? If yes how are pedestrians included? (are all pedestrians included, which convictions are included, how are the points assigned etc.)? Are pedestrians treated differently – how?	What do you think about including pedestrians? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?
		6 Alcohol / drug offenders	High BAC indicates a general problem with (respectively without) alcohol, which cannot be solved by simply withdrawing the licence for a certain period	How does your system treat alcohol or drug offenders? Does your system treat them in a special way?	What do you think about treating alcohol or drug offender in a special way? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?

		Other (for example : recidivists...)	Are there any other groups of road users that should receive (particular) attention by a DPS?	Are there any other groups of road users that receive (particular)/differentiated attention by your DPS? If so, in what way?	What do you think about paying particular attention to these groups? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?
O F F E N S E R E L A T E D	Criteria for "pointing"	What are criteria for the number of points to be earned or lost by a certain offence: Frequency, severity of offences, risks imposed by offending, danger for others or oneself, age, any other	Pointing is a political and social statement which reflects the intention followed by a DPS. Pointing sends a message for how "bad" or abject certain behaviour is considered by society.	What were the criteria to decide about how many points are linked to an offence? Different number of points for different offences? Is the number of points fixed by law or flexible?	What do you think about these criteria? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?
	List of offences according to accident risk	Which offences are included and what are the criteria to include? Are all offences included that endanger others? Are only offences included that pose the highest risk? Are there other criteria besides road safety? (Inclusion – endangering others, obeying to the rules?)		Which offences are included in your DPS? Could you provide us with a list of offences that are included? What are the criteria for inclusion? Are all offences included that endanger others in your country? If not, list relevant offences that also should be included. Are only offences included that pose the highest risk? If not, list examples of convictions that do not pose a high risk. Are there other criteria besides road safety? (Inclusion – endangering others, oneself, obeying to the rules?)	What do you think about including these offences? What do you think about the criteria for inclusion? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?

	Lifetime of points	How long are points registered? Should points have different lifetimes (according to offence they are related to)? Gaining/Losing of new points leads to longer lifetime of other points?	This is another issue which highlights the message of the system. Points for severe offences might live longer.	How long are points registered? Do points have different lifetimes (according to offence they are related to)? Does gaining/losing of new points lead to longer lifetime of other points? If yes, explain how it works. Calculation: From what time on? Commitment of offence or valid decision of authority?	What do you think about the time period(s) that points are registered? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?
	Amount of offences included in the catalogue	The list should not be too long to ensure practicability and transparency. What is the optimal amount of offences?		How many offences that lead to points are included?	What do you think about the amount of offences that lead to points? What would you consider to be the optimal amount of offences? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?
	Multiple offences	How to deal with cumulated offences, e.g., if someone is caught running a red light under the influence of alcohol. Should DPS consider only the most severe offence or add all points up or do something in between?	If points are cumulated, drivers could lose their licence after a single event, there could be worries about unfortunate combinations with low overall importance.	How is dealt with cumulated offences, i.e. if someone commits two or more offences at the same time/in one event?	What do you think: How should be dealt with cumulated offences? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?
I N T E R M	Rehabilitation	Do measures taken within the frame of the DPS include the element of rehabilitation? All? only some?	For some categories of offenders, rehabilitation might be the only useful tool.	Does your DPS provide measures that include the element of rehabilitation? What kind of measures?	What do you think about these measures? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?

E D I A T E M E A S U R E S	Mode of participation in a measure	– voluntary => leading to reduction/regain of points	Incentive for participation in a course that treats or educates drivers when they often commit offences. Useful only if really effective.	Is participation in a measure voluntary? Which consequences or convictions are related to voluntary participation (e.g. reducing of points)?	What do you think about the possibility to participate voluntarily and the related consequences? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?
		– mandatory => to avoid more serious consequences (or to reduce/regain points?)	To treat and to educate drivers through courses when they commit serious offences or if they are high risk drivers. Such measures have a general preventive as well as a special preventive effect. They could be useful even if rehabilitation effect is low.	Is participation in a measure mandatory? Which consequences are related to missing participation?	What do you think about forcing mandatory participation and the consequences of missing participation? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?
	Possibilities to reduce / fill up penalty points	Are there measures to reduce points? If not, what is the incentive to participate? Just keeping the licence?	Does a good system need the chance to reduce the score from a certain level, or to regain points by passing a particular course or other measures?	Does your system provide the chance to reduce/fill up the point score from a certain level by passing a particular course or other measures? Description of system.	Does a good system need the chance to reduce the score from a certain level, by passing a particular course or other measures? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?
		by participating in a measure that improves knowledge	Incentive for participation in a course that educates drivers when they often commit offences	Does your system provide the chance to reduce/fill up the point score by participating in a measure that improves knowledge? If yes, please explain what kind of knowledge is included. If yes, is the type of knowledge included in the measure related to the type of conviction?	Does a good system need the chance to reduce /fill up the point score by participating in a measure that improves knowledge? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?

		by participating in a measure that improves driving skills	Incentive for participation in a course that improves driving skills when they often commit offences	Does your system provide the chance to reduce/fill up the point score by participating in a measure that improves driving skills? If yes, please explain what kind of driving skills are included. If yes, are the driving skills knowledge included in the measure related to the type of conviction?	Does a good system need the chance to reduce /fill up the point score by participating in a measure that improves driving skills? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?
		by participating in a measure that improves driving attitude and reckless driving due to weakness in character	Incentive for participation in a course that treat drivers when they often commit offences	Does your system provide the chance to reduce/fill up the point score by participating in a measure that improves driving attitude and mentality? If yes, please explain what kind of attitudes are included. If yes, is the type of attitude included in the measure related to the type of conviction	Does a good system need the chance to reduce /fill up the point score by participating in a measure that improves driving attitude and mentality? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?
	Specific programs for different offender group	Specific target group programmes with regard to the committed offences (alcohol, speed, aggressive driving....).	This will particularly be relevant, for measures addressing skills and knowledge; measures after alcohol and drug offences might need particular approaches, other than speeding or non-use of seat belt	Does your system offer target groups (with regard to the committed offences) specific programmes? Which one? Could you describe in a few words the different programs adapted to specific offenders?	What do you think about target group specific programmes? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?
	Criteria for passing / failing a course	Possibilities: simply being there, paying attention, passing a test, being sober...	This might need to be adapted to the particular goal of the course. Knowledge- and skill-oriented measures might include a test. Definition of rules for assessment.	What are the criteria for passing a course successfully? What are the consequences if the offender fails the course? When can it be made again?	What do you think about criteria for passing a course successfully? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?

	Sanctions / consequences related to points:	How many levels of consequences (warnings, program participation, licence withdrawal) do exist.		How many levels of consequences (warnings, program participation, licence withdrawal) do exist? How is the relation to the amount of points reached / offences done? Costs?	What do you think about the amount of levels of consequences? How many levels should preferably exist? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?
L I C E N C E W I T H D R A W A L	Licence withdrawal when reaching a certain amount of points	After a defined amount of points or offences, respectively, the offender's driving licence can be withdrawn.	Licence withdrawal has a highly deterrent effect.	At how many lost/gained points is the licence withdrawn? What is the minimum amount of offences that an offender must commit until his licence is withdrawn?	What do you think about the amount of points/offences that lead to licence withdrawal? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?
	Withdrawal period	For how long is the licence withdrawn, if it is withdrawn. Fixed period of flexible, depending on additional measures, depending on severity of offences?		For how long is the licence withdrawn / is the driver disqualified when losing the licence in the context of DPS? Is it a fixed period or is it flexible, depending on additional measures, depending on severity of offences?	How do you think about the period for licence withdrawal? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?
	Measures beyond licence withdrawal	Possibilities of removing the offender from the traffic system should be asked – particular driving limitations (e.g. use of alcohol interlock, data logger, feedback system, etc) or even detention – and the linkage with other institutions (criminal law).	Depending on the severity of the offence it might appear useful to impose other measures to offenders, in particular if licence withdrawal is not considered as an appropriate measure.	Are there any measures beyond licence withdrawal that can be imposed to the offender in the context of DPS (e.g. alcohol interlocks, driver's logbook, driving limitations...)? Pay attention to the fact that it is related to the DPS and not dependant on other institutions (like criminal law....)	What do you think about the measures beyond licence withdrawal? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?

	Re-granting procedure	Should measures be taken before the driving licence is reinstated, e.g. psychological assessment or driving test?	The re-granting procedure should ensure that only those get back into the traffic system who will no longer pose a risk for others.	What measures are taken before the licence is reinstated? (driving test, medical/psychological examination)	What do you think about the measures which are taken before the licence is reinstated? Are they useful? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?
T R A N S P A R E N C Y & I N F O R M A T	Transparen- cy of the system for the general public	Simplicity / Complexity of counting points / taxonomy		How is the taxonomy of your DPS? How are points counted (added or reduced)? Is it easy to understand how points are counted?	What do you think about the taxonomy of your system? What do you think about how points are counted? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?
		Transparency of “functioning” of the system (which measures at specific amount of points). How is the public informed about the system and its consequences/measures?		Does the general public know how the system functions and which offences are included? Does the general public know which measures are imposed at the specific amount of points? How is the public informed about the system and its consequences/measures?	What do you think about the functioning of the DPS? What do you think about how the public is informed? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?
		Transparency of amount of points related to offences (offence-point details).		Does the general public know how many points are related to specific offences?	What do you think about offence-point details? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?

I O N	Transparen cy of the system for the offender	Timing of information of the driver about the pointing of an offence.		When is the driver informed about the fact that he gained/lost points? Is he informed in any case?	What do you think about informing the driver that he gained/ lost points? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?
		Transparency of own amount of points. How does the individual driver get the information about his total amount of points? Does he receive information each time that he gains/ losses points and how?		How does the individual driver receive the information about his total amount of points? Does he receive information each time that he gains/ losses points and how?	What do you think about informing the driver about his amount of points? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?
		Timing of information of the driver about his amount of points and related consequences (warning letter).		When is the driver informed about his amount of points and related consequences?	What do you think about informing the driver about related consequences? Why do you think so? Do you have any evidence for your opinion? Any facts about safety effects?
A C C E P T A N C E	Acceptanc e by police officers	Acceptance by the police should be high.	Acceptance by police officers is necessary to ensure enforcement.	<i>Section was moved to "Enforcement"</i>	
	Acceptanc e by administrati ve staff (managem ent of DPS)	Acceptance by the police should be high.	Acceptance by administrative staff (management of DPS) is necessary to ensure enforcement.		
	Acceptanc e by judicial staff	Acceptance by judicial staff (management of DPS) should be high.	Acceptance by judicial staff (management of DPS) is necessary to ensure enforcement.		

	(management of DPS)				
	Acceptance by road users	A fair penalty (pointing) increases acceptance. Pointing according to subjective risk.	Acceptance by road users should be high to ensure a deterrent effect.	Do you have any information about the acceptance of DPS by road users?	What do you think about the acceptance by road users? Why do you think so? Evidence? Safety effects?
	Acceptance by politicians	For the acceptance by politicians, the acceptance by the public is important.	In order to establish and maintain DPS, the acceptance by politicians is important.	Do you have any information about the acceptance of DPS by politicians?	What do you think about the acceptance by politicians? Why do you think so? Evidence? Safety effects?
E N F O R C E M E N T	Driver liability	In the administrative procedure, the person who has committed the offence must be identified.	If the one who did the offence is sanctioned, he's able to change his future behaviour. In some cases, it might be impossible to identify the driver, offenders may remain without punishment.	Are drivers made liable for the offence they committed in any case? How do you ensure that the driver is identified (made liable) if he's not caught on the spot?	What do you think about making or not making only the driver liable to his offence? What do you think about your measures to ensure that the driver is identified (made liable)? Why do you think so? Evidence? Safety effects?
	Owner liability	The owner could be responsible for certain offences (e.g. technical condition of the vehicle). The owner could be the standard addressee for any kind of offence committed with a vehicle of his own	Administrative procedures are easier if it is not necessary for the authorities to identify the driver. It is left to the owner to either pay a ticket and take the points or to object for not having been the driver. In terms of DPS it has to be discussed if they are effective, if the driver has the chance to escape	Are owners made liable for the offences committed with their vehicle? If, so: how is it implemented in law (which law? Reference?) Is the owner made liable in terms of DPS if the driver cannot be identified?	What do you think about making or not making the owner liable to offence committed with his vehicle? Are there any obstacles to introduce owner liability (legislation)? Why do you think so? Evidence? Safety effects?

			from collecting points. Points could be given to the owner, if he does not nominate the driver.		
	Mandatory nomination of the driver	If a vehicle owner is not the offender, he might be forced to nominate the driver in order to enable authorities to punish the right person.	In principle, this would be (and is, e.g. in Austria) quite comfortable for authorities to accuse the right person. However, it is on contradiction with the constitutional right "nemo tenetur" (you cannot be bound to accuse yourself or close relatives).	Is it mandatory to name the driver even if it's a direct relative? How does it comply with your constitutional law?	What do you think about the mandatory nomination of the driver? Why do you think so?
	Level of enforcement for each offence	Level of enforcement could either be input or output of a DPS. Include only widely enforced offences? Intensify enforcement for offences on the DPS list?	Obviously, a DPS does hardly make sense if no one is ever caught and punished for the offences within the DPS. DPS might be more effective, if the offence covered by the system receive special attention by the enforcement bodies.	Do you have any information about the levels of enforcement (statistics - amount of licence withdrawals due to DPS out of the total number, management etc.), e.g. the 'chasing index' in Germany	<i>Police - administrative staff - judicial staff (each asked specifically)</i> Do you think you have enough staff, means, budget to enforce each offence included in DPS? What problems do you encounter when enforcing DPS? Why do you think so? Evidence? Safety effects? Cost benefit ratio?
	Cross border enforcement	How is dealt with offenders from other countries and offences of own citizens offending abroad?	In a European context, there should not be "free shots" when leaving the own country. This statutes and invitation to all drivers to drive careless as soon as leaving the own country. Critical also for subjects having moved their permanent	How are non-resident offenders dealt with? How are offenders living in your country but owning a licence from another country dealt with? How offences of residents offending abroad are dealt with? Which criteria are relevant? Place of residence, country where the licence was issued...	What do you think about how is dealt with offenders from other countries in terms of DPS? With your residents offenders abroad? What do you think about how is dealt with offenders living in your country but owning a licence from another country? Why do you think so?

			residence.		
A D M I N I S T R A T I O N	Administrative body	Organization responsible for administration?	dedicated body, run by police, run by a ministry, which one,	Which organizations are responsible for the administration and enforcement of DPS? Who collects the points? Who is responsible for enforcing measures according to the DPS?	What do you think about the administration of the DPS in your country? Why do you think so?
	Staff	Who? How many? Qualifications? Organizational structure?	In order to ensure the effective operation of DPS.	How many people are working on the administration on DPS on which level (central, local)? How is the ratio of staff working on the administration on DPS and licence holders?	What do you think about the amount of staff working on the administration of DPS? Why do you think so?
	Costs	Estimation of the costs	Budgets are limited. Resources are rare. High costs of a system might decrease acceptance. Who pays?	Could you estimate the total costs of running the DPS per year?	What do you think about the costs of DPS? Why do you think so? Is any information available about the costs?
	Procedures - ways of processing information	How is the information processed until an offence results in points? How long on average does it take from the offence to the registering of points?	Is it key, if punishment (i.e. point settlement) comes close after the offence? Can offenders escape by playing on time?	How is the information processed until an offence results in points? How long on average does it take between detection of the offence, the registering of points and information of the offender about the points?	What do you think about the processing of information? Why do you think so?
	Automatic process vs. court decision for pointing	Are points automatically assigned to the offender or is there a court procedure in any case? Other way in between??	Automatic systems are faster, court-decision-based more accurate.	How is the assignment of points linked to the procedure regarding the sanctioning of the offence? Are points automatically assigned to the offender when a fine/sentence is imposed, or is there a separate (administrative/court) procedure?	What do you think about the way of assignment of points? Why do you think so?

	Organization and structure - central vs. federal	Is the DPS centrally based or are points only registered at local authorities? How is it assured that an offence in one district or state is transferred to the institution which is responsible for collecting points?		Is the DPS centrally based or are points only registered at local authorities? How is it assured that an offence in one district or state is transferred to the institution which is responsible for collecting points?	What do you think about the local/ central registering of points? Why do you think so?
M O N I T O R I N G D P S	Regular evaluation / supervision , maintaining and optimization of DPS (statistics, quality assurance)	Are there regular evaluations of DPS? What measures are taken to supervise, maintain and optimize the DPS?		Are there regular evaluations of DPS? What measures are taken to supervise, maintain and optimize the DPS?	
	Effect of DPS (e.g. actual number of lives saved). The effect of DPS should be positive,	Is data available about the positive effect of DPS? What are the criteria to measure "positive effects"?		Is data available about the positive effect of DPS? What are the criteria to measure "positive effects"?	

	e.g. saving lives				
	Cost-benefit ratio	Can cost-benefit assessment be executed, if yes, what is the CBR of a DPS	The cost-benefit ratio is the most appropriate tool to identify useful investment. Monetisation in terms of human lives and injuries is critical.	What is the cost-benefit-ratio of your DPS? How would you estimate the cost-benefit-ratio?	Evidence?
	Driving without licence/driving while suspended	Is there any evaluation about people who continue driving although they lost their licence?		How many offenders drive although their licence has been withdrawn on the base of the DPS? Is there any evaluation about people who continue driving although they lost their licence?	
O T H E R S	Link with insurance premiums, employers (professional divers).	Point standing could be considered as a sort of "reliability score". Who could get access under which conditions	A link of the DPS to insurance premiums could work as an incentive to avoid the collection of points.	Is there a link between the amount of points and insurance premiums? Do employers of professional drivers get information about the amount of points? Who could get access to the points and under which conditions?	What do think about the link of the amount of points and insurance premiums? What do you think about informing employers of professional drivers about the amount of points?

ANNEX F: Acceptance of penalty point system by Czech drivers

This Annex is based on research by Skládáná (2008).

In relation to substantial changes in Czech traffic law in July 2006, CDV carried out the research of drivers' attitudes to new rules and their knowledge and evaluation of information campaign "New Rules".

The change of The Road Traffic Act No. 361/2000 brought several important news in traffic rules and namely in traffic law enforcement – penalty point system was introduced. The change was widely discussed in media and public, it was also supported by information campaign „New rules“.

Representative sample of Czech driving population was made (the structure of target population was based on results of previous regular marketing researches) of 502 respondents. The method of face-to-face interviews was used. The interviews were carried out at the end of November 2006.

Table 1: Sample by gender

Male	365	72,7%
Female	137	27,3%
Total	502	100,0%

Table 2: Sample by reason to drive

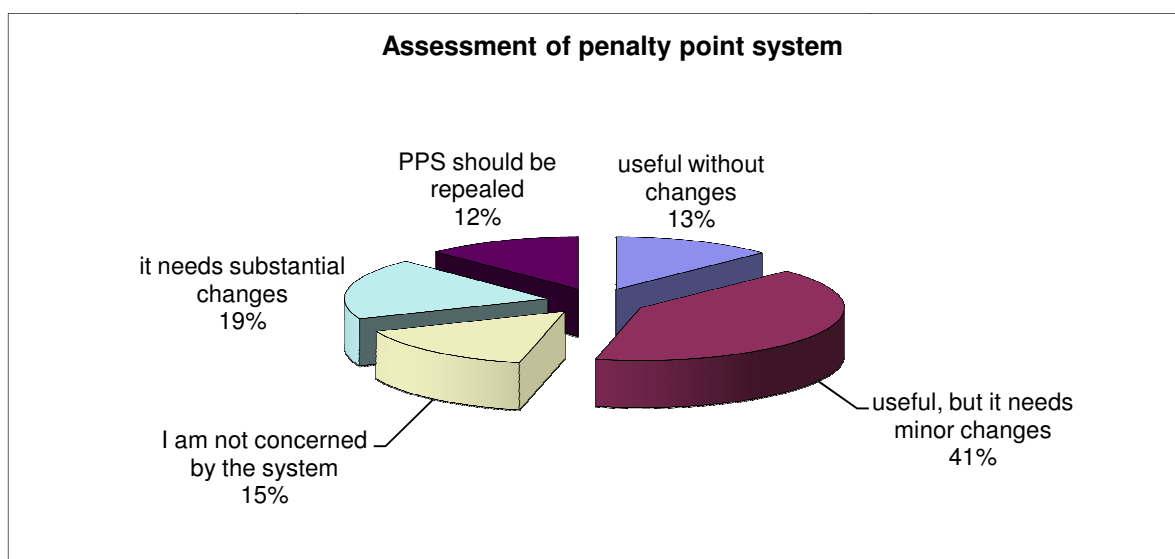
Professional driver	28	5,6%
Needs driving during the work	104	20,8%
Driving to and from work	153	30,4%
Other	217	43,2%
Total	502	100,0%

The questionnaire had two parts: in the first part, knowledge of new measures and attitudes to them were asked (particularly to penalty point system and new remits of police), in the second part, familiarity with the information campaign "New Rules" was probed and its appraisal.

Penalty point system

The respondents were asked to express their opinion – whether the system is useful as it is (without any changes), or it needs minor changes, substantial changes or the system should be completely repealed. Most of the drivers agreed that the system is useful, but it needs minor changes (41%), 13% agreed with the system as it was, and 15% of respondents felt untouched by the system. Only 19% of drivers wanted substantial changes of the penalty point system, and 12% wished to repeal the measure at all. We can say that two thirds of drivers support the PPS in the Czech Republic.

Figure 1: Assessment of penalty point system



Respondents were asked to express their agreement or disagreement with potential changes in penalty point system (most of them were actually proposed by part of politicians): some violations should not be subject of PPS (54% agreed), some violations should be rated less strictly in PPS (62%), some violations should be rated more strictly (39%), some violations that are not involved in PPS should be involved (8%), the number of penalty points should be else than 12 (58%), PPS should be elaborated more in detail (68%), PPS should be more general – let more latitude to judgement of policemen (29%).

Figure 3: Agreement or disagreement with potential changes in PPS, in %

