STATEMENT BY MS MOYAGH MURDOCK, CHIEF EXECUTIVE OFFICER, ROAD SAFETY AUTHORITY TO THE JOINT COMMITTEE ON TRANSPORTATION & COMMUNICATIONS. WEDNESDAY 22ND APRIL, 2015.

I wish to thank the Chairman and Committee for giving me an opportunity to appear before the Joint Committee on Transportation and Communications and to assist in the Committee's pre-legislative scrutiny of the general scheme of the Road Traffic Bill 2015.

The Road Safety Authority very much welcomes the proposed bill and the measures contained in it. The new Bill is particularly timely as we have seen a reversal in the decline in road deaths in the last two years, and new measures are needed to tackle existing and new road safety challenges.

With me today is Declan Naughton, Director of Driving Licensing and Testing who is here to assist with any specific details on measures that fall within the remit of the RSA.

Chairman, if you would permit I would like to firstly begin by giving a brief overview of the road safety situation in Ireland at present and well as putting some context around the various Heads of Bill in the forthcoming Road Traffic Bill.

As of today a total of 49 people have lost their lives in 43 fatal collisions. This compares to 55 road deaths in 49 fatal collisions to the same period last year.

Over the last decade Ireland’s road safety record has improved measurably thanks to the work of the many agencies and individuals working in a strategic way to prevent death and injury on the roads. In the ten year period from 2003 to 2013, road fatalities reduced from 335 to 188. This represents a 44% decline. Over the same 10 year period, injuries reduced by 16%.

However, since 2013, road deaths have begun to rise once more. Last year there was a 4% increase in road deaths.

The current Road Safety Strategy which runs from 2013 to 2020 has set a specific target to reduce the number of road deaths to 124 a year and serious injuries to 330 per year. This drop is necessary to close the gap between Ireland and other best performing countries such as the UK, Netherlands, Sweden and Australia.
Contributory Factors to Collisions

Driver error represents the single biggest contributory factor in collisions, accounting for at least 80% of fatal collisions over the last number of years.

As previously stated, we know that speed, impaired driving (alcohol, drugs, fatigue, distraction), non-wearing of seatbelts, and unsafe behaviour by/towards VRU’s remain the main contributory factors in collisions both in Ireland and internationally. I would like to give you an overview of the evidence in relation to some of these factors, I will focus on the topics of particular relevance to the new Bill.

Speed

Excessive speed was cited as a contributory factor in 15% of all fatalities and in 11% of all serious injuries in Ireland within the period 2002-2012. From analysis of Irish road collision data, the RSA can confirm that speed related fatal or serious collisions are more likely to occur

- During the summer months
- On rural roads
- On roads with an 80km/h or 100km/h speed limit
- On bends
- To male drivers aged 17 – 24, followed by male drivers 25 – 34

From observational studies of drivers conducted by the RSA in recent years, we know that as many as 8 in 10 drivers exceed the posted speed limit on urban roads, while a lower proportion, about 1 in 5, exceed the speed limit on the higher speed rural roads. The extent to which drivers engage in speeding in urban areas poses a significant threat to the safety of vulnerable road users.

We believe that a reduction in speed limits in residential areas specifically, and indeed in urban areas generally, is crucial to protect the safety of vulnerable road users based on all of this evidence.

Impaired driving

Alcohol

Alcohol has played a significant role as a causal factor in road traffic collisions in Ireland as well as around the world. Previous research in Ireland indicates that alcohol had been a factor in 36.5% of fatal crashes in 2003, 28.4% in 2004 and 28.9% in 2005. The Road Safety Authority analysed the role alcohol played in fatal collisions over the period 2005 to 2007. The period of this study was relevant to establish some effectiveness measure of the introduction of Mandatory Alcohol Testing (MAT) which
was legislated for in July 2006. This provision allowed the Gardaí to breath-test a driver without the requirement that the Garda had formed an opinion that the driver had already consumed alcohol. This provision allowed the Gardaí to test a greater number of drivers than had been permitted before. The study also analysed the cases in which a breath-test was administered in the case of a fatal collision.

The result of the analysis shows that there has been a reduction in the role alcohol has played in fatal collisions over the period.

This study shows that the percentage of road traffic collisions where alcohol was a factor decreased to 15.53% in 2007, from 28.33% in 2005. This reduction is significant and would appear to be as a result of the introduction of MAT in 2006.

**Drug Driving**

Professor Cusack referenced a report on roadside Drug Testing, in which there is a section on prevalence. This report, and in particular, Chapter 3 on Prevalence, provides the most comprehensive overview of the available data in relation to drug driving. In particular, a review of road traffic collisions and drug and alcohol toxicology analysis from the coroner’s district in Kildare during the period 1998-2009 showed that of the 92 driver deaths, 50% recorded a positive toxicology (alcohol and/or drugs), and 9.8% of these had a positive toxicology for a drug. This prevalence rate of 1 in 10 drivers under the influence of drugs undoubtedly points to the need for intoxicant impairment testing. We also know that there is strong public support for this testing, as a public attitude survey of 1,000 motorists conducted by the RSA in November 2014, showed that 93% of motorists agree that An Garda Síochána should have the power to conduct roadside testing for drug use.

The Medical Bureau of Road Safety, which is the state body for the testing of all blood and urine specimens taken by the Gardaí, tells us that approximately one in ten drivers killed in crashes has a positive toxicology for a drug or drugs.

As Professor Cusack outlined to the Committee last week a two-step process has been identified to tackle the problem of drug driving. The first, is the introduction of a field impairment test at the roadside. It was introduced back in December of last year and this new Roadside Impairment Test, provides An Garda Síochána additional powers to test drivers whom they suspect of driving under the influence of drugs.

The second step, which is being provided for in this Bill, will see the introduction of roadside chemical testing, which is modelled on the successful mandatory alcohol screening. When in use it will test for certain key drugs, like cannabis, cocaine, opiates and benzodiazepines which are the most prevalent in drugged drivers.

I have no doubt that with such additional powers more drug drivers will be apprehended by the Gardaí. The fear of being arrested and disqualified from driving will force these drivers to reconsider such dangerous behaviour.
Distraction:

International evidence suggests that driver distraction is a contributory factor in up to 30% of all collisions. Experts in this area state that distraction can be any one of three types: manual (hands off the wheel), visual (eyes off the road) or cognitive distraction (mind off the road). A distraction can be internal to or external to the vehicle, and a distracting event can encompass all three types of distraction, manual, cognitive and visual. Texting, for example, could potentially include all three types of distraction. In fact, mobile phone use while driving is deemed to be one of the most dangerous and common types of distraction. International evidence suggests that texting while driving makes you four times more likely to crash.

Of all drivers aware of the increase in penalty point increase for mobile phone use, 3 in 10 say that since the introduction, they now use their handheld mobile phone less. Among the high risk group, i.e. those who admit to more regularly using their phone while driving, over half admit to now using their mobile phone less. This is a very positive endorsement of the effectiveness of enforcement measures in changing public behaviour. The further strengthening of legislation on the use of electronic devices is to be welcomed in the Road Traffic Bill.

Vehicle Defects

The most recent data available shows that vehicle defects have contributed to 3% of fatal collisions and 1.5% of serious injury collisions over the period 2007-2012. Tyre issues are most likely to feature. This data is based on the preliminary investigation of the vehicle by a member of An Garda Síochána. However, the more detailed vehicle inspection, conducted as part of the forensic collision examination, will provide a more accurate assessment of the extent to which vehicle defects contribute to collisions. In fact, preliminary results from the pre-crash behaviour study, indicates that worn, balled tyres and inappropriate pressure of tyres, contribute to collisions to a greater extent than previously thought.

Written Off Vehicles

The regulation of written-off vehicles is a key component in ensuring a high standard of vehicles in the national fleet. It is essential that severely and irreparably damaged vehicles are never let back on the road, and where a vehicle can be repaired, it would only be allowed back into service if repaired correctly.

Having a firm statutory basis in Road Traffic law will allow the Minister, in conjunction with other government departments and public bodies including the RSA, to progress the actions required to implement a robust system for dealing with written off vehicles in Ireland.
As things stand today, insurance companies voluntarily notify the Department’s Driver and Vehicle Computer Services Division (DVCSD), through a third party, of vehicles that are damaged beyond repair. These are statutory write-offs and the DVCSD ‘locks down’ these vehicles so that no transactions may take place such as motor tax renewal or change of ownership. In 2014, 2851 vehicles were notified to the DVSD as being statutory write-offs and their details locked down on the National Vehicle and Driver File (NVDF).

The current process is administrative and although it is subscribed to by most insurance companies, it does not have a statutory footing. Categories of vehicle write-offs are not legally defined and motor insurance companies are not compelled to provide written-off vehicle information to the DVCSD. Furthermore, the current register does not account for ‘financial write-offs’ also known as ‘economic write-offs’, and in such cases, insurance companies use their own various inspection and certification procedures in order to allow such vehicles back on the road. It is estimated that over 45,000 vehicles are written off by motor insurance companies in Ireland each year. Of these, it is estimated that around 18,000 financial write-offs make their way back onto Irish roads.

A review, including public consultation, carried out by the RSA identified the legal and procedural shortcomings that exist in the current systems for dealing with written-off vehicles in Ireland. As a result, the RSA issued proposals to the Department of Transport, Tourism and Sport.

As a first step, the appropriate primary legislation needs to be put in place. The Draft Head of Bill 14 laid before you today will allow the Minister for Transport Tourism and Sport to make regulations in relation to the use, detention and destruction of written-off vehicles. The Minister will be able to define the various categories of written off vehicles, specify the written-off register that shall be maintained, and prescribe the credentials of those who may make a determination that a vehicle has been written-off.

The Bill will provide the primary legislative basis to allow written-off vehicles to be assigned either of two core classifications; a statutory write-off or a financial write-off. Statutory write-offs are vehicles that have been damaged to such an extent that their integrity of construction has been seriously compromised. These vehicles are unsafe to go back on the road and must be correctly disposed of in line with End of Life Vehicle requirements. This will eliminate the possibility of such vehicles making their way onto Irish roads again and will also prevent them from becoming an environmental hazard through illegal dumping.
Mutual Recognition of Driver Disqualification

Since 28 January 2010 the UK and Ireland recognised licence disqualifications across each other’s borders. As the UK withdrew from certain legal frameworks that enabled this to happen effective 1 December 2014, mutual recognition of licence disqualification does not apply to cases where a driver was disqualified after that date. Both jurisdictions recognised the value of this measure and are taking steps to restore mutual disqualification and necessary legislation and Memorandum of Understanding are being worked on to give effect to this. The Road Traffic Bill 2015 incorporates the necessary provisions from Ireland point of view.

The provisions applied to Court disqualifications for offences that were similar in both jurisdictions- it did not apply to penalty point disqualifications. The types of offences included speeding, drink driving, dangerous driving, hit and run cases. The role of the Road Safety Authority, in relation to mutual recognition of disqualifications was to take cases here in Ireland where we have been notified by UK authorities that a disqualification has taken place in respect of a person disqualified in the UK but gave an Irish address as his/her place of residence. In addition the RSA forwards to the UK licensing authorities details of cases where a person disqualified here gives an address in the UK.

Because of differing legal systems, the RSA goes through the Court system to apply the disqualification whereas the UK apply the disqualifications administratively, without having to take court proceedings.

To conclude I would like to express my sincere thanks on behalf of the RSA to you as elected representatives and to all you colleagues in all parties in the Oireachtas for the encouragement and continued support provided to us and the issue of road safety.