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PIARC Recommendation regarding the approach to take into account Directive 2008/96/EC in the context of road tunnels

Introduction:

Directive 2008/96/EC of the European Parliament and of the Council of 19 November 2008 deals with **road infrastructure safety management**. Article 1 (Subject matter and scope) of this directive notes that this text “ ... *requires the establishment and implementation of procedures relating to road safety impact assessments, road safety audits, the management of road network safety and safety inspections by the Member States*”. This article also mentions that the directive does not apply to road tunnels covered by Directive 2004/54/EC.

Directive 2004/54/EC of the European parliament and of the Council of 29 April 2004 deals **with minimum safety requirements for tunnels in the trans-European road network**. Article 1 "subject matter and scope" of this "tunnel" Directive notes that this text "*aims at ensuring a minimum level of safety for road users in tunnels in the trans-European road network by the prevention of critical events that may endanger human life, the environment and tunnel installations, as well as by the provision of protection in case of accidents*".

The objective of the present recommendation is to propose an appropriate approach to take into account the objectives of Directive 2008/96/EC in the context of road tunnels when implementing Directive 2004/54/EC. This recommendation is jointly supported by the two PIARC Technical Committees: TC 3.3 Road tunnels operations and TC 3.2 Design and Operation of Safer Road Infrastructure. It was issued by:

- A task group of TC 3.3 representatives: Marc Tesson (France – task group leader), Kristin van der Auwera (Belgium), Guillermo Llopis Serrano (Spain), Sonja Wiesholzer (Austria), Fathi Tarada (UK), Christian Gammeter (Switzerland), Ronald Mante (The Netherlands), Harald Buvik (Norway) ; this Technical Committee 3.3 is chaired by Ignacio Del Rey (Spain),
- TC 3.2 representative: Mike Greenhalgh (UK – Chair TC 3.2).

Reminder of the context:

According to its article 1 "subject matter and scope", the "tunnel" Directive 2004/54/EC already provides for measures to address the question of safety linked to the infrastructure. All aspects of tunnel safety are included in its subject matter, including road safety (preventing road accidents and limiting the consequences thereof), treated for other infrastructures by Directive 2008/96/EC.

In the light of recent severe accidents, the approach consisting of encouraging EU members states to examine the aspects linked to road tunnel safety in a detailed manner is entirely laudable and must be encouraged. Complex and comprehensive procedures concerning safety management have been implemented in the context of Directive 2004/54/EC. These procedures are on the whole based on a global systemic approach to safety in these structures taking "all aspects of the system composed of the infrastructure, operation, users and vehicles" into account (point 1.1.1 of Annex 1).

This question was discussed at two workshops organized in Brussels on 26 February and 14 May 2013 under the auspices of the European Economic and Social Committee. During the preparation and development of these workshops PIARC highlighted that a pure and simple application of Directive 2008/96/CE to tunnels could result in counterproductive proposals and unnecessary additional cost in an area where expenses, in particular for upgrading existing structures, are already substantial. PIARC also noticed that this would lead to increasing the complexity of the procedures, further increasing the panel of the many stakeholders concerned, and complicating the decisions that will have to be made in the end by EU members states.

On the basis of these discussions the participants in the two workshops considered that any juxtaposition of the two groups of procedures linked to the two Directives 2004/54/EC (road tunnels) and 2008/96/EC (infrastructure) should be avoided. With regards to the procedures it was also proposed to base any additional recommendation regarding road tunnels on the approach prescribed in the tunnel directive.

Recommendation:

The purpose of this recommendation is to propose procedures to minimize the likelihood of road incidents related to the tunnel infrastructure and to reduce the severity of accidents which may occur. In this perspective, the principles set out in Directive 2008/96 should be preserved and carefully adapted to the specific context of road tunnels (confined space, driving behaviour different from that encountered in the open air, many specific safety facilities and procedures, ...).

With the objective of preserving an integrated approach to safety in the application of the "tunnel" directive, **PIARC invites EU members states to be vigilant concerning the questions linked to road infrastructure safety management in the context of road tunnels.**

As a consequence EU members states should encourage tunnel managers to specifically consider the aspects linked to road safety in the framework of the procedures applied for road tunnels in accordance with Directive 2004/54/EC.

These procedures are widely based on the safety documentation, which is described in point 2 of Annex II of the directive. The safety documentation should give proper consideration to road infrastructure safety from the design to the operation stage.

The safety documentation includes “an opinion on safety from an expert or organisation specialised in this field”, i.e. the field of road tunnel safety. Among other points, this opinion should examine road safety. The tunnel directive gives full liberty for road safety auditors to cooperate with the road tunnel safety expert involved in the safety documentation process. EU members states should recommend that the road tunnel safety expert mentioned in Directive 2004/54/EC should ask, at the design and commissioning stage, for the opinion of an auditor holding a certificate of competence as mentioned in Article 9.3 of Directive 2008/96/EC.

The tunnel directive provides for periodic inspections, which should be carried out by an inspection entity at least every six years. According to the directive, the inspection entity “must have a high level of competence” in road tunnel safety “and high quality procedures”. The tunnel directive gives full liberty to ask an entity competent in road infrastructure safety to cooperate with the inspection entity competent in road tunnel safety. EU members states should recommend that the inspection entity who carries out the periodic inspections according to Article 12 of Directive 2004/54/EC should ask for the opinion of a competent entity as defined at point 2 of Article 2 of Directive 2008/96/EC.