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NEWSLETTER MiniVOX

April 2021

Reinventing the wheel

Dear member of the Institute,

Reinventing the wheel is an English saying that often has negative connotations, as it implies that in trying to solve a problem we are needlessly trying to reinvent well-established principles. However, technological innovation can mean that we have to take stock and re-evaluate our approach, as it can fundamentally change our point of view. For instance, we always thought it was a given that a car needs to have a driver and have never had to worry about what information our car holds on us.

This newsletter will look at innovations implemented throughout Europe in areas such as the environment, e-commerce, digitalisation and mobility to adapt to altered circumstances and technological advances.

As a case in point, the emergence of the Coronavirus has led organisations across the world to rethink their approach to remote communication, having to adopt virtual meeting formats as a result of the global restrictions, which includes events organised by the Institute. Accordingly, we would ask you to please save the dates for our online seminar in May and the European Traffic Law Days, which will again only take place virtually this year.

Furthermore, the Full Executive Board has an important request to you, dear members: The IETL general assembly will already take place on 30 June this year. Please attend this general assembly in good numbers: Your participation in this year's general assembly is highly appreciated: as part of the Institute's reorientation, it is planned to amend the statutes in a number of points. For example, the general possibility of holding the general assembly as a video conference is to be included in the statutes.

A quorum of 2/3 of the Institute's members is required for this. In this respect, we kindly ask you to save the date and to participate in this year's general assembly. The invitation will follow shortly.

Best regards and: Stay healthy!

The editors and the
IETL Committee Communication & Media

The Newsletter is generally written in English. Particularly in the case of court decisions, a translation may unconsciously change the meaning of the decision in individual cases. We have therefore decided to publish the texts in the original language in individual cases. If necessary, translation tools on the Internet such as DeepL (www.deepl.com) or Google Translate (<https://translate.google.com>) can be used for translation.

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NEWS FROM EUROPE



Changing Directives: Towards a greener future

On 22 March, DG ENER organized a workshop, as part of the ongoing revision of the Renewable Energy Directive (RED II). The European Commission started the process of revising Directive 2018/2001 by launching a roadmap to collect feedback on the concept in 2020. This was followed by a public consultation that was open to citizens and stakeholders from 17 November 2020 to 9 February 2021. In addition, a first stakeholder workshop was held on 11 December 2020, while the publication of the proposal is set for June 2021.

In terms of the next steps, the Commission has been working on the impact assessment, and expects to have proposals finalised by the summer.

Source: FIA / European Commission

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Protecting online consumers

The European Consumer Summit 2021 “Make the Consumer Agenda happen” was held on 15 March virtually under the aegis of Portugal’s Council Presidency and the European Commission (DG JUST). The Summit gathered more than 700 participants representing governments, consumer and business organisations and academia.

As a follow-up to the keynote presentations, 5 workshops on different consumer protection topics took place with the objective of defining the following operational priorities for the year ahead:

1. EU legislation needs to establish clear responsibilities for platforms, to prevent and react to consumer scams.
2. Equip enforcement authorities with appropriate e-enforcement tools for detection of infringements in the digital environment.
3. Adopt a no data/no claims- Life cycle Analysis approach: Member States to work together on agreeing common standards on product lifecycle.
4. Member States need to ensure consumer reimbursements for cancelled trips.

More information:

<https://european-consumer-summit-2021.b2match.io/page-3331>

Source: FIA / European Commission

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What can my car know about me?

European Data Protection Board: Guidelines on Connected Vehicles

On March 10 2021, at its 46th Plenary Session, the European Data Protection Board (EDPB) adopted its two-year Work Programme for 2021-2022, which will follow the priorities set out in the EDPB 2021-2023 Strategy and will put the Board’s strategic objectives into practice.

At the same occasion, the EDPB adopted a statement on the draft ePrivacy Regulation, which welcomes the agreement on the negotiation mandate by the Council as a positive step in the finalisation of the ePrivacy Regulation, and a positive step to guarantee a level playing field in the Digital Single Market. Also, and following-upon last year’s public consultation, the EDPB adopted a final version of the Guidelines on processing personal data in the context of connected vehicles and mobility-related applications, focusing on the non-professional use of connected vehicles by data subjects.

Source: EDPB / FIA

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Digital Europe Programme

The Digital Europe Programme (DIGITAL) is the first financial instrument of the EU focused on bringing digital technology to businesses and citizens. The Programme will run for the period 2021-2027, starting retroactively from January 1st, with a budget of €7588 million. The nature of the Programme is complimentary to others that work upon digital transformation, such as Horizon Europe and the Connecting Europe Facility.

How to make Europe greener and more digital are the twin challenges for our generation, and our success in meeting them will define our future.

The European Commission has begun to look at a greener Europe through the lens of the European Green Deal. At the same time, it is opening up discussions about the move to a more digital world: the digital transition.

Digital technology and infrastructure have a critical role in our private lives and business environments. We rely on them to communicate, work, advance science and answer current environmental problems. At the same time, the COVID-19 pandemic highlighted not only how much we rely on our technology to be available to us, but also how important it is for Europe not to be dependent on systems and solutions coming from other regions of the world. Paving the way for achieving this goal is DIGITAL programme.

On March 16, the Council gave green light to the Digital Europe programme, while the European Parliament is expected to do so too before the final adoption is published in the EU Official Journal; the regulation will enter into force on the day of its publication.

More information:

https://www.consilium.europa.eu/en/press/press-releases/2021/03/16/digital-europe-programme-gets-green-light-from-council/?utm_source=dsms-auto&utm_medium=email&utm_campaign=Digital+Europe+Programme+gets+green+light+from+Council

Source: FIA / European Commission

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Hot off the press ECJ - Compensating short detours?

An Austrian Airlines passenger is seeking from that air carrier flat-rate compensation of €250 for the diversion of his flight between Vienna and Berlin. While the flight was initially supposed to land in Berlin Tegel airport, it finally landed in Berlin Schönefeld airport with a delay of nearly an hour. Austrian Airlines did not offer the passenger any onward transport, nor did it offer to bear the cost of transferring the passenger between those two airports.

In its judgment, the ECJ holds that the diversion of a flight to an airport serving the same town, city or region does not grant the passenger a right to compensation for cancellation of a flight.

In order for the airport of substitution to be regarded as serving the same town, city or region, that airport must not necessarily be situated in the same territory (in an administrative sense) as the town, city or region in which the airport for which the booking was made is situated. What matters is that it is in close proximity to that territory. The Court finds that it is for the air carrier to offer, on its own initiative, to bear the cost of transfer either to the destination airport for which the booking was made or, where appropriate, to another close-by destination agreed with the passenger.

If the air carrier fails to comply with its obligation to bear that cost, the passenger is entitled to reimbursement of the sums expended that, in the light of the specific circumstances of each case, are necessary, appropriate and reasonable in order to remedy the failure of the air carrier.

More information:

https://curia.europa.eu/jcms/jcms/p1_3498130/de/

Source: ECJ

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Hot off the press ECJ - no double jeopardy

Lorry and bus drivers who do not produce the record sheets for the tachograph relating to the current day and the previous 28 days are subject to a single penalty, irrespective of the number of missing record sheets: Judgment of 24 March 2021 in Joined Cases C-870/19 and C-871/19, Prefettura Ufficio territoriale del governo di Firenze v MI and TB

In 2013, during two roadside inspections carried out in Italy, the Italian authorities established that MI and TB, as drivers of road transport vehicles (lorries, motor coaches and buses), were not able to produce the record sheets of the tachograph installed in their vehicles relating to the current day and several of the previous 28 days. Those authorities therefore imposed a number of administrative penalties on MI and TB for a number of infringements.

MI and TB brought actions before the Italian courts against those penalties. The Corte suprema di cassazione (Supreme Court of Cassation, Italy), before which those cases were brought at last instance, asks the Court of Justice, in essence, whether EU law, requiring a driver to be in a position to produce the record sheets relating to the period covering the current day and the previous 28 days, must be interpreted as meaning that, in circumstances such as those of the present cases, the competent authorities must impose on that driver a single penalty, for a single infringement, or rather a number of separate penalties for a number of separate infringements, the number of which corresponds to that of the missing record sheets.

In its judgment, the ECJ rules that should a lorry, motor coach or bus driver subject to an inspection fail to produce the record sheets of the recording equipment relating to several days of activity during the period covering the day of the inspection and

The Court points out that EU law establishes a single obligation covering the whole of the overall period of 29 days. Thus, the breach of that obligation constitutes a single and instantaneous infringement, consisting in the fact that it is impossible for the driver concerned to produce, at the time of the inspection, all or some of those 29 record sheets. That infringement can give rise only to a single penalty.

More information:

https://curia.europa.eu/jcms/jcms/p1_3471116/de/

Source: ECJ

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The Arrival of Autonomous Vehicles

By *Nick Lavelle*, Senior Associate Manager, Coris UK



It always seemed like something which was to happen way into the future however the advent of autonomous vehicles is upon us.

What do we think an autonomous vehicle is? There are different levels of autonomy which need to be distinguished.

Assisted vehicles are those vehicles which offer safety options such as acceleration and steering support such a lane change assist and adaptive cruise control. This requires a fully engaged driver.

The next level up is automated vehicles. These are vehicles which are capable of driving themselves without being controlled or monitored by an individual for at least part of a journey.

Autonomous or driverless vehicles are fully reliant on a computer for their journey and are no longer autonomous if there is any kind of human intervention.

When looking at autonomous vehicles there are different levels which are looked at:

- **Level 0** – No Automation
- **Level 1** – Driver Assistance
- **Level 2** – Partial Automation
- **Level 3** – Conditional Automation
- **Level 4** – High Automation
- **Level 5** – Full Automation

Much of the development is following closely the Euro NCAP 2025 roadmap on vehicle safety which will change the way we drive as the level of automation increases.

take full control and these will be available in 2021. Vehicles from Honda and the impressive Mercedes S Class will be the first to arrive and legal to use this year in some countries.

The higher levels of automation where drivers do not even need to look at the road are expected to follow from 2025.

In the UK there has been two public consultations on autonomous vehicles with significant contributions from insurers, legal and safety bodies such as Thatcham Research.

Although it is widely agreed that with increased autonomy the number of accidents and subsequently injuries and deaths are expected to decrease many feel that there is significant work to carry out with respect to safety, cyber security and legal reform to account for the changes to the way we drive.

Since the Automated and Electric vehicles Bill of 2017 insurers have worked on insurance products for automated vehicles and reviewed the data required to see what technology is being used at the time of an accident to foresee the potential liability between the driver and manufacturers.

What is clear is that this technology is moving at a fast pace and those cars of the future that we all saw in the news just a few years ago are arriving this year.

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GERMANY – Speeding - hitting drivers where it hurts Catalogue of traffic fines: Agreement on fines and driving bans

The federal states and the Federal Ministry of Transport agree on an amendment to the Catalogue of Traffic fines (BKatVO). Higher fines are coming this year.

After a long struggle between the federal and state (Länder) governments, the dispute over a new catalogue of fines has finally been settled: Several compromise proposals for new regulations had failed, and it did not look as if an agreement on new rule rates could be reached before the federal elections in September. However, the Conference of Transport Ministers finally achieved a breakthrough on 16 April, clearing the way for an ordinance by the Federal Minister of Transport. The Bundesrat still has to agree.

The agreement has succeeded in preventing the originally planned drastic tightening of driving bans for speeding offences, while still deterring speeders with significantly higher fines. The new fine rates are to come into force in the course of this legislative period.

Short review: Due to a citation error, the Catalogue of Fines (BKatVO) of 28 April 2020 is invalid as part of the amendment to the Road Traffic Regulations (Straßenverkehrsordnung/StVO). But there was also a lot of trouble with regard to the content, as driving bans were already provided for when exceeding a speed limit of 21 km/h in built-up areas and 26 km/h outside built-up areas.

Speeding offenders will have to pay much more in the future: The previous warning fines for exceeding the speed limit of 20 km/h will be doubled when the new catalogue of fines comes into force. Nothing is to change with regard to driving bans: As is already the case, drivers who exceed 31 km/h in urban areas and 41 km/h in extra-urban areas or who repeatedly exceed 26 km/h will be banned from driving. In return, the fines will be increased in the 21 km/h range - but not doubled across the board,

Source: ADAC e.V.

Example for speeding fines:

Exceeding in km/h	in built-up areas		outside built-up areas	
	current	future	current	future
Up to 10	15 €	30 €	10 €	20 €
11 – 15	25 €	50 €	20 €	40 €
16 – 20	35 €	70 €	30 €	60 €
21 – 25	80 €	115 €	70 €	100 €
26 – 30	100 €	180 €	80 €	150 €
31 – 40	160 €	260 €	120 €	200 €
41 – 50	200 €	400 €	160 €	320 €
51 – 60	280 €	560 €	240 €	480 €
61 – 70	480 €	700 €	440 €	600 €
over 70	680 €	800 €	600 €	700 €

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BUNDESGERICHTSHOF

Hot off press BGH - more bad news for VW

Financing costs subject to compensation in diesel cases (BGH Judgment of 13 April 2021, VI ZR 274/20)

In a landmark decision on 25 May 2020, the Federal Supreme Court (Bundesgerichtshof / BGH) ruled that the buyer of a vehicle equipped with an inadmissible defeat device is entitled to claim damages against VW (Case No. VI ZR 252/19). Now there is a new decision on the eligibility of financing costs for compensation.

The issue is whether VW has to reimburse car buyers for the costs of financing plus interest. The plaintiff had bought an almost new VW for 18,500 euros in 2013; she financed the majority of the price with a loan from VW Bank.

Because of the illegal defeat device in the exhaust gas purification system, she sued the car company in 2018 for reimbursement of the purchase price and reimbursement of the financing costs, as well as for the payment of interest on the instalments made. In the lower courts, she was largely upheld: VW must reimburse the purchase price and financing costs with the deduction of a user fee, but must not pay interest on the instalments. The BGH has now confirmed this in the appeal and

VW AG had intentionally deceived the plaintiff in an immoral manner according to § 826 BGB. According to §§ 826, 249 para. 1 BGB, the plaintiff had to be put in a position as if the vehicle had not been purchased. If the plaintiff had not purchased the vehicle, she would not have partially financed the purchase price with a loan from Volkswagen Bank. VW AG therefore had to reimburse the full amount of the financing costs in addition to the purchase price for the vehicle.

Source: BGH / ADAC e.V.

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NETHERLANDS – Safety first!

Horrible accident shows the importance of proper admission regulation for (P)LEVs

By *Lizanne Drost* LL.M., Legal Manager, InterEurope AG European Law Service



In the Netherlands, we seem to be far behind on our fellow European Member States, and on the rest of the world for that matter, when it comes to the admission of light electric vehicles (LEVs). Monowheels, hoverboards, electric skateboards; do not use them on Dutch public roads unless you like to contribute to our public purse. The fine can be € 260,-.

The Minister of Infrastructure and Water Management explained that the reason we are so 'slow' with our admission process of Personal LEVs, is that the admission must be safely done. Period.

And we have learned the hard way.

Because we are no stranger to LEVs. Actually there are LEVs accepted on Dutch public road. We differentiate between four types of LEVs. The biggest group concerns the electric mopeds that are allowed on the base of European admission procedure, or electric vehicles that are exempted from admission due to European legislation. Then we have the PLEVs like hoverboards, monowheels and most electrical scooters that are not allowed. Finally there is a special group of LEVs that we call 'Special Mopeds'. For those vehicles admittance may be requested and it is the Minister of Infrastructure and Water Management who decides whether or not admittance is granted. There are at this moment 17 vehicles that received the 'allowed-stamp' amongst others the Segway, Trikke and Swing. Also allowed was the so-called Stint. The Stint is of Dutch design, it is a colorful tub on wheels, driven by an electric force.



Source: *Onderzoeksraad voor Veiligheid, Veilig toelaten op de weg: Lessen naar aanleiding van het ongeval met de Stint.*

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But at 20 September 2018 a horrible accident occurred. A stint, filled with 5 young children drove towards a railway crossing. The barriers were already down as a train was about to cross. The driver of the stint let go of the gas and tried to break. But the vehicle did not stop. The train machinist tried to stop as well. But the train, that was driving approximately 100 km/h did not manage to stop either. The stint drove onto the crossing and collided with the train. Four of the five children died, the fifth kid and the driver of the train were both severely injured.

This accident was a serious nightmare for all Dutch parents. The stint was a very popular vehicle amongst preschools and daycare centers. It was a black day in Dutch history and questions rose as to the safety of the stint in general. After the accident stints were not immediately banned from the streets. Some day care centers kept using them. Parents were worrying and asking questions and the situation became quite chaotic.

The accident gave reason to investigate the admittance procedure of Special Mopeds. This investigation has been performed by the Dutch Safety Investigation Board. They published their findings (Onderzoeksraad voor Veiligheid, Veilig toelaten op de weg; Lessen naar aanleiding van het ongeval met de Stint). Their investigation showed that safety was regarded in the past as an eventual barrier to innovation. They refer to the history of the procedure around Special Mopeds. It was designed to enable a disabled boy to use a Segway on public roads and to solve his mobility problem. This was an urgent matter and thus the admission had to be fast and simple, so minimal requirements needed to be met. The researchers concluded that in the political assessment, safety was subordinated to innovation in road traffic. And the procedure was used for other vehicles as well later on, also for the stint.

The procedure was not as extensive as the European procedure; there were fewer requirements to be met. The Department of Road Transport and the National Scientific Institute for Road Safety Research were allowed to perform investigations, but the results were not binding. As to the Stint, both the Department of Road Transport as the National Scientific Institute for Road Safety Research expressed concerns about the safety of the Stint. Nevertheless the electric vehicle was assigned in April 2012 as a 'Special Moped' and allowed on the public road. All went well, until 20 September 2018. It was after this accident that a thorough investigation was performed and it turned out that there were severe concerns as to the safety of the stint, that had been used already for such a long time to transport our children.

The horrible accident showed that the admission of the stint, did not necessarily mean that it was also a safe transportation vehicle. The whole admission procedure had to be critically examined.

This shows us that safety must always come first when we deal with innovation in traffic.

(P)LEVs are small, fast, easily maneuverable. Strict requirements should be in force in my opinion when it comes to the safety of the LEV in question, but also when it comes to maintenance of the LEV, skills of the driver and the place on and construction of the road.

Safety does not start with an easy and fast admission procedure. I think it is just common sense that the Minister takes her time to carefully assess the method of allowing PLEVs on the streets.

Since November 2020 the stint is back on the road. It has been improved, it has extra mirrors, tilt protection, a safety cage, extra brakes, new seatbelts and at the request of the relatives it has a new name; the Stint bus or BSO Bus. But it should have had all these new features to begin with.



Source: *Official Dutch Gazette 2020, 56604. The new and improved version of the BSO-bus.*

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UK – Too clever by half Looking at issues with Smart motorways in the UK

By *Alexander Greenwood*, Legal Manager, Solicitor & FCILEX, InterEurope AG European Law Service



Smart motorways have existed in the UK since 2006 when the M42 in the West Midlands became a controlled motorway. Currently, there are more than 400 miles of smart motorway in England and there are plans to further expand this network.

The idea is to utilise technology to monitor, manage and communicate with traffic from remote control centres to increase the capacity of existing motorways, rather than widening them or building new motorways (as this would cause more disruption to traffic and nearby homes). At the same time, according to the government, the casualty rate between 2015 and 2018 on smart motorways was lower on motorways without a hard shoulder.

Smart motorways are equipped with a variety of technological measures, including electronic signage, sensors for traffic volumes, CCTV, stopped vehicle detection and emergency areas equipped with telephones. With the help of these and depending on congestion, additional lanes are made available to keep the traffic flowing.

Smart motorways come in three flavours: a “dynamic hard shoulder”, where the hard shoulder is temporarily opened to traffic, “all lanes running” with no hard shoulder, which use emergency refuge areas (placed between 0.3 and 1.6 miles apart for vehicles to escape to emergencies and a “controlled motorway”, with three or more lanes, a hard shoulder and variable speed limits.

The panacea of increased motorway capacity while avoiding the considerable costs and disruption of extending the motorway network has recently come under scrutiny, as considerable issues have arisen with these motorways when vehicles break down.

Government guidance, which was withdrawn in December 2020, stated that if a vehicle had a problem on a motorway with no hard shoulder, they should move into the left hand lane and hazard lights on, exiting the motorway as soon as possible or follow signs to an emergency area and call for help. If this is not possible, the vehicle is to be moved as close as possible to the left hand verge and consider exiting the vehicle via the left door if safe to do so.

The somewhat obvious problem with a motorway without a hard shoulder is that vehicles that have mechanical issues that by their very nature render their vehicles unable to reach safety are stranded in a live lane of traffic, mostly the left lane, with nowhere to go. The left lane is mainly used by HGV vehicles who, by the very nature of their vehicles, will struggle to stop when faced with the sudden appearance of a stationary vehicle in front of them, especially if the vehicle is obscured by other vehicles travelling in front of them until the last minute.

By way of illustrative example, an accident on the M1 in Yorkshire, which involved a lorry crashing into the rear of a vehicle left stranded in the left lane due to the lack of a hard shoulder. Two people were fatally injured. At the inquest, the coroner stated that “smart motorways, as things currently stand, present an ongoing risk of future deaths.” and confirmed that “if there had been a hard shoulder on this bit of motorway, the collision would have been avoidable.”

Yorkshire police went further, stating that had the vehicle been able to pull onto the hard shoulder the lorry “would have driven clean past them”, a sentiment which is mirrored by the lorry driver, who was convicted for causing death by careless driving, “If

As a result of concerns, the UK government reviewed smart motorways in March 2020, highlighting that while smart motorways reduced the risk of a collision between moving vehicles, the risk of a collision between a moving and stationary vehicle was greater when there is no hard shoulder present. The main measures were to abolish the “dynamic hard shoulder”, as it was deemed too confusing, expand the stopped vehicle technology to the entire network, including detection of vehicles in closed lanes, install more emergency areas and update the Highway Code to provide more information to the public. Crucially, it did not plan to abolish “All lanes running” motorways and, providing an update in April 2021 considers that the technological enhancement of “All lanes running” is the way to achieve the desired outcome of increased motorway capacity while avoiding the considerable costs and disruption of extending the motorway network.

While the statics in the review are contested by some, it is unquestionable that technology will reduce road traffic accidents and injuries on motorways overall, but this is of scant consolation to the unfortunate drivers and passengers trapped on a live lane on a smart motorway. Abolishing the hard shoulder is not a necessary part of motorways becoming smart and it would appear adopting a “controlled motorway” approach, which introduces technology but keeps the hard shoulder would be the best option. While this may mean the capacity is reduced slightly and therefore existing motorways may need to be expanded in places, it would appear to be the safest and most sustainable option for future motorway use.

For more information:

<https://www.gov.uk/government/news/smart-motorways-our-current-position>

<https://www.gov.uk/guidance/how-to-drive-on-a-smart-motorway>

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/936811/smart-motorway-safety-evidence-stocktake-and-action-plan.pdf

<https://www.fbhvc.co.uk/news/article/govuk-strategic-roads-update-smart-motorways-evidence-stocktake>

<https://www.independent.co.uk/news/uk/home-news/coroner-david-urpeth-hard-shoulder-smart-motorway-b1788974.html>

<https://www.gov.uk/government/speeches/highways-england-first-year-progress-report-on-smart-motorways-stocktake>

<https://www.highwaysmagazine.co.uk/Smart-motorway-sees-crashes-rise-50-in-five-years/8435>

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**SPAIN - Not so fast****New speed limits in built-up areas**

Spain will be the first country in the world to implement 30 km/h as a general speed limit for urban roads with a single lane in each direction (80% of roads). This is the most important change in the reform, which will come into force on 11 May and aims to ensure safe coexistence between motor vehicles and vulnerable users (pedestrians, bicycles, motorbikes and mopeds).

Although its publication in the Official Gazette of the State (BOE) was on 11 November 2020, citizens have been given the period of six months to be aware of the new regulations and administrations can adjust signage.

New limits

From May, the new limits will apply in all cities in Spain:

- 20 km/h, for roads where the road and pavement are unified (single platform).
- 30 km/h, for single lanes in each direction.
- 50 km/h, for two or more lanes per direction.

However, the rule also allows exceptions if approved by the road operator. The new speed limits for cities are essentially

More information:

<https://revista.dgt.es/es/noticias/nacional/2021/04ABRIL/0413-Guia-Ciudades-30.shtml>

Source: ADAC e.V. / DGT

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AUSTRIA - Quiet please**Driving bans for particularly loud motorbikes in the province of Tyrol now every year from 15 April to 31 October**

On certain stretches of road in the district of Reutte/Tyrol, there will be a driving ban every year from 15 April to 31 October for particularly noisy motorbikes. The Tyrolean government justifies this measure with the considerable noise nuisance to the population caused by the constantly growing motorbike traffic. According to the Motorcycle Noise Study Außerfern 2019, 44% of the people surveyed there feel strongly affected by motorbike noise. In particular, 2/3 of the population find the high-speed driving ("howling") during acceleration and braking processes particularly disturbing.

Since the previous measures such as speed limits did not lead to a satisfactory result, the Tyrolean provincial government decided to introduce a temporary driving ban for particularly loud motorbikes on certain stretches of road in 2020 as part of a pilot project in the period from 10 June to 31 October. After a thorough evaluation and further expert assessment of this pilot project and due to the positive response from the population in the district of Reutte, the Tyrolean provincial government has decided to introduce an annually recurring regulation.

More information:

<https://www.tirol.gv.at/verkehr/verkehrsrecht/motorrad-fahrverbot/>

Source: ADAC e.V. / ÖAMTC

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<https://www.linkedin.com/company/institute-for-european-traffic-law/>

SAVE THE DATE 1



ONLINE SEMINAR

5 May 2021

**Dear Members of IETL,**

As you already have seen in our last "MiniVox" our conference and seminar organisation team has managed to draft yet another excellent programme for our Webinar on 5 May 2021.

The webinar is free and will be open only for our members as extra benefit of their IETL membership. The webinar will be in English language only.

In the coming weeks, we will provide closer insights regarding the various programme topics on our website and our LinkedIn page.

Please have look at both pages regularly, it is well worth it! We publish interesting news round mobility and law frequently and we, of course, would appreciate your comments on LinkedIn and your likes!

Registration for the seminar will be required and is open only to max 100 participants. So, do not wait too long with your registration when you receive the registration invitation shortly after the Easter holidays.

**PROGRAMME**

- > **08h30 Opening:**
by the President of the IETL, Prof. Ansgar Staudinger, University of Bielefeld
- > **08h40 «Brexit: What's the Deal?»:**
Lucy Wyles, Barrister, and Simon Ball, Solicitor, United Kingdom
- > **09h00 «European law: ECJ case law and the EU's REFIT MTPL Directive»:**
Oskar Rademeyer, Lawyer, Germany
- > **09h30 «European national liability and compensation law: developments in legislation and case law»:**
Prof. Bernhard A. Koch, University of Innsbruck
- > **09h45 «News from the Council of Bureaux» (Green Card and European Guarantee Funds and Facilities of the EU MTPL Directive):**
Sandra Schwarz, President of the CoB, Brussels
- > **10h00 «Accident analysis: insights for practitioners»:** Michael Pfäffli, AXA, Switzerland. **10h00 «Accident analysis: insights for practitioners»:**
Michael Pfäffli, AXA, Switzerland.
- > **10h30 Recreational Break**
- > **10h45 «Property Damage in various European jurisdictions: a Legal Comparison»:**
Mag. Josef Schörghuber, Avus, Austria; Rajko Groeger, Lawyer (Rechtsanwalt), InterEurope AG, Germany; Martin Hoffmann, Lawyer, VanAmejde, Switzerland.
- > **11h45 «Personal injury in European legal comparison»:**
Bernd Höke, Lawyer; Ulrich Werwig, Lawyer, Germany
- > **12h45 Presentation of the new IETL website,**
Bernd Höke, Leader of the Marketing & Communication Committee IETL
- > **13h05 Closing remarks by the President of the IETL,**
Prof. Ansgar Staudinger, University of Bielefeld

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SAVE THE DATE 2

European Traffic Law Days 2021 – Online Seminar 7 October 2021

Instead, as in 2020, the IETL will organise an online seminar on Thursday, 7 October 2021. Please save the date. We will publish the programme in due course.

For 2022, it is planned to hold the conference again as a face-to-face event in Berlin.

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SAVE THE DATE 3

General Assembly 30 June 2021 (incl. amendment of the statutes)

This year, the IETL's Annual General Assembly will already take place on 30 June 2021. One of the reasons for this is that the Covid19 exemption of Luxembourg association law, which allows the general assembly to be held via videoconference, is currently still valid until the end of June. This year, the IETL's Annual General Assembly will already take place on 30 June 2021. One of the reasons for this is that the Covid19 exemption of Luxembourg association law, which allows the general assembly to be held via videoconference, is currently still valid until the end of June.

Your participation in this year's general assembly is of utmost importance: as part of the Institute's reorientation, it is planned to amend the statutes in a number of points. For example, the general possibility of holding a general assembly as a video conference is to be included in the statutes.

A quorum of 2/3 of the Institute's members is required for this.

In this respect, we kindly ask you to save the date and to participate in this year's general assembly.

The invitation will follow shortly.

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Are your contact details still correct?

We have a request to all members: Please inform our executive director Alain Kunz (idec.alain.kunz@a2a-online.ch) if your e-mail address and/or postal address has changed. This avoids unnecessary misunderstandings and returns.

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