



VOD Postfach 10553 DE 48054 Münster

Bundeskanzleramt
Bundeskanzlerin Dr. Angela Merkel
Willy-Brandt-Straße 1
10557 Berlin

Verkehrsunfall-Opferhilfe Deutschland e.V.

Telefon: 0160 62 68 484
E-Mail: info@vod.org
Internet: www.vod-ev.org

Prof. Dr. rer. nat. habil. Wilfried Echterhoff
Vorsitzender des Vorstands

Telefon: 0171/9307664
E-Mail: wilfried.echterhoff@vod-ev.org

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Open Letter to Chancellor Dr. Angela Merkel in full awareness of the urgent need to act on Speed Limit on German Highways.

Dear Chancellor,

Related to the actual discussion about a general speed limit on German highways, we as European and German Federations of Road Traffic Victims would like to call again on your responsibility for the lives and corporal protection as human rights for all people living in Germany.

The discussion in Germany is hard to live for us. The fact that only an environmental emission debate was the reason for launching the discussion is showing that Road Safety aspects are completely neglected.

The duty of the state, and the three powers Legislative, Judicative and Executive, to protect every human live can be directly derived from the basic norms of the Federal constitutional court (BVerfG) concerning the two fundamental rights of live and corporal integrity (Art. 2 Abs. 2.1 of the Constitution (BVerfG, 25. Februar 1975, Rn. 151). This is generally recognised concerning the internal security, but it is misjudged that Road Safety is an integral part of this security.

Even if the order of the Constitution may not weigh enough we remember the actual coalition agreement containing a commitment to the mission statement of „Vision Zero“. Even if not every partner of the big coalition may have understood the real meaning of this statement it would be time to discuss this in details and to apply it to this commitment. Already in the year 2015 the German Road Safety Council (Deutscher Verkehrssicherheitsrat, DVR) had in his publication N°16 about road safety presenting the “Vision Zero.”

*„1. Basics ... if there is a conflict Vision Zero is clearly showing the aim: **when there are doubts the decision should be in favor of Road Safety**. The core of this approach is the insight that the human being cannot act without any failure in the road traffic system. Without freeing him from his own responsibility, the system must be designed that mistakes have no fatal consequences. The traffic system has to be adapted to the human being, not the other way round. “*

The target of the Federal Government to reduce the number of fatalities with at least 40%, related to the EU target about a 50% reduction of fatalities towards 2020, will obviously not be reached. We have needed a reduction of 28% to 2.627 deaths in the 7 years since 2010, but in reality there are 3.180 people who died in 2017, which means only 13% reduction. And the forecast for 2018 is also evaluating again a rise to over 3.200 deaths.

This makes it clear that without instant concrete measures this target can never be reached.

But we would have now with a general speed limit on highways a simple administrative way whose effectiveness has been proved in many national (3) and international (4) studies.

All the studies about the effectiveness of a general speed limit are showing, depending on the relative starting point, that the number of fatalities would be reduced with about 20 % to 50 %. In 2018 the International Transport Forum (ITF) and the International Traffic Safety Data and Analysis Group (IRTAD) published a report with 11 case studies¹ from 10 countries about the effects of speed reduction related to traffic collisions. The effect of speed for the crashes' severity is really proved. At lower speed reductions with about 49% (Sweden, number of fatal and serious injured when lowering the limit from 110 to 100 km/h), whereas when the limit was raised in Denmark from 110 to 130 km/h there was a raise of 24% of the collisions with corporal damage. With these facts we can no longer argument that an effect of a speed limit could not help to lower the number of fatalities in road traffic.

¹ ITF/IRTAD, 2018, S. 71.

Following the latest numbers of the Federal Statistical Office (destatis), related to the year 2016, 72% of fatalities happened on highway stretches without a speed limit.

The German Road Safety Council (DVR)'s study from 2016, examined collisions on highways where at least one driver had not adapted his speed. The result: from 185 victims of speed crashes 122 people (66%) died in sections with a speed limit whereas 63 victims (34 %) died in zones with a speed limit².

The argument of the seemingly low percentage of about 13% fatalities on German highways is often used for the relative safety of these. It would be indeed surprising if an infrastructure without plan sized nudges, without oncoming traffic and obstacles on the roadside would be more dangerous as country roads which don't have these features. But when we put the German results in relation to the European ones the optimising potential clearly shows up.

Stating that the German highways are on an international comparison the safest ones is not true at all. Germany is with 3 people killed per 100km section of State highway clearly worse than Great Britain, the Netherlands, Switzerland, Denmark, Finland and France (all between 1 and 2,5 fatalities per 100 km)³.

Already in 2010, the Scientific Council of the Transport Ministry recommended beside other issues a 130km/h speed limit on highways, also as smaller differences in speed would favor more harmonic traffic flow, with less traffic jams, which could also have a positive effect on the CO2 emissions. And last but not least a speed limit would also be in line with the European harmonization of speed limits.

In political aspect, the voice of the citizen as a voter is meaningful even when we speak about topics like a speed limit⁴. Following the latest Politbarometer⁵ every 2nd German (50 %) is in favor of a 130km/h speed limit. Seven percent of the respondents could even agree to a lower limit, and only 41 % are – also because of a non-fact oriented public debate and promotion in the media reports– against a general speed limit.

This shows that already nowadays there is a high public acceptance for the introduction of the 130km/h limit on German highways.

Often the argument which is used against a speed limit on highways is that the traffic would switch to the more dangerous country roads. The contrary is true: Many road users are afraid of extreme high speeds and large differences in speed, among them many elderly drivers

² <http://www.spiegel.de/auto/aktuell/tempolimit-mit-130-km-h-sinken-die-unfallzahlen-drastisch-a-1249595.html>

³ OECD, Road Traffic Data Accident Database IRTAD

⁴ DVR 2017 https://www.dvr.de/presse/informationen/infografiken/mehrheit-fuer-tempolimit-auf-autobahnen_id-4839.html

⁵ <https://www.zdf.de/nachrichten/heute/politbarometer-zum-tempolimit-100.html>

who are driving less. They can afford the requirements resulting from very high speeds (and especially big differences in speed) and avoid sometimes driving on highways and choose instead to drive on (less safe) country roads.⁶ In a DVR-Survey⁷ about the behaviour on the highway 1/3 of all drivers (32%) mentioned that they are worried about these speed differences on highways. Some (6%) – especially elderly – totally try to avoid driving on highways because of these stress situations.

This is also confirmed by our member of the „Deutschen Verkehrswacht (DVW) following experiences from the workshops with Seniors “*sicher mobil*” (*safer mobility*). Seniors avoid more and more the highways when getting older and change to country roads which they feel, against the facts, as safer. And this will grow with the demographic development in the future when there is no speed limit introduced.

Speed limits on highways have also a social effect: they improve a more just access. Elderly and those driving less loose the fear to drive on a highway and a will not change to drive on country roads.⁸

And one thing should also not to forget - the strong signal that such a decision would have for lowering the speed on the entire road infrastructure. Here we know actual examples from France or Spain, how such a political decision can improve Road Safety in general.

To summarise one can conclude that there is not any lonely argument, from the view of road safety, to justify the Status Quo, but indeed a multitude of real positive effects.

So if it is proved that there is a high potential to save lives with a speed limit and that additionally positive effects can be expected in other fields (emission debate), finally applying the States protection duty and the Coalition agreement, we wonder why there is no an immediate action.

Dear Mrs. Chancellor Dr. Angela Merkel,

⁶ Schlag, 2008

⁷ <https://www.presseportal.de/pm/17147/3961547>

⁸ Schlag 2018

We call on you to stop this pointless killing on German highways.

Reducing the number of victims is possible, in this letter we only pointed a bit more intensively on one aspect and we are at your disposal as European and German Federation for a deeper discussion on optimising the Road Safety work and the protection of victims' rights.



Prof. Dr. rer. nat. habil. Wilfried Echterhoff
Vorsitzender VOD

Jeannot Mersch
Präsident FEVR