



Notification Number: 2015/461/F

## Draft Decree on the safety of coach passengers and amending the French Highway Code

Date received : 06/08/2015  
End of Standstill : 09/11/2015 ( 08/02/2016)  
Issue of comments by : Italy  
Issue of detailed opinion by : Commission, Germany

### Message

Message 002

Communication from the Commission - TRIS/(2015) 02544  
Directive 98/34/EC  
Translation of the message 001  
Notification: 2015/0461/F

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201502544.EN)

#### 1. Structured Information Line

MSG 002 IND 2015 0461 F EN 06-08-2015 F NOTIF

#### 2. Member State

F

#### 3. Department Responsible

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#### 3. Originating Department

Ministère de l'Écologie, du Développement Durable et de l'Énergie



Direction générale des Infrastructures, des Transports et de la Mer / Direction des services de Transports /  
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#### **4. Notification Number**

2015/0461/F - T00T

#### **5. Title**

Draft Decree on the safety of coach passengers and amending the French Highway Code

#### **6. Products Concerned**

This measure applies to all transport services provided using category M2 and M3 vehicles.

#### **7. Notification Under Another Act**

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#### **8. Main Content**

Insertion in the regulatory section of the French Highway Code of a new article stipulating that all coaches must be fitted with an alcohol interlock under conditions established by order of the Minister for Transport (preventive device).

#### **9. Brief Statement of Grounds**

There are two reasons for the creation of this draft text:

Firstly, France has seen an increase in road fatalities for the first time since 2002, one of the main causes of which is drink-driving.

Secondly, France is preparing to develop coach travel nationally by opening national lines as private initiatives under the draft Law for the growth, activity and equality of economic opportunities. It must, in such a context, send out a strong signal through the use of vehicles offering optimum passenger safety. Therefore, the draft law presents the principle of safer vehicles that protect passengers from risks associated with driver alcohol use.

Concerning safety, fitting coaches with alcohol interlocks (EAD) is a particularly relevant prevention tool, given the driver's burden of responsibility with regard to their passengers.

EADs supplement the body of provisions created by the French public authorities in collaboration with commercial operators to guarantee a high level of safety. They are part of a global prevention policy. This equipment is consistent with the lower blood alcohol limit (0.2g/l of blood) to which the drivers of these vehicles are subject.

It should be noted that from 1 September 2015, pursuant to Article 70bis of the Order of 2 July 1982 on public transport, as amended, businesses established in France operating transport services will be obliged to fit their coaches with EADs. This provision already applies to any coach first put into service in France from 1 January 2010 onwards that is used for the public transportation of children.



Introducing this obligation to fit EAD equipment, as provided for in the draft Decree, to the regulatory section of the French Highway Code will make this obligation applicable, as a road traffic rule, to all coaches circulating on French territory, thus ensuring equal treatment for resident and non-resident businesses alike.

#### 10. Reference Documents - Basic Texts

Reference(s) to basic text(s): French Highway Code:

- Article L. 234-15:

“Alcohol interlocks fitted to the vehicles of transport businesses as a preventive measure shall enable data relating to their operation, driver alcohol levels and vehicle starting to be processed automatically. Data relating to driver alcohol levels must not be consulted, communicated or used. Other data may only be consulted by people specifically designated by the company head.”

- Article L. 234-17:

“The approval conditions for electronic alcohol interlocks, as well as the approval conditions for professionals responsible for installing them shall be established through regulation.”

- Article L. 317-9:

Subject to exceptions provided for through regulation, all coaches shall be fitted with devices preventing them from being driven under the influence of alcohol. The implementation procedures for this Article shall be defined by Decree of the Council of State.

- Decree No 2011-1661 of 28 November 2011 on electronic alcohol interlocks (document submitted with this notification)

#### 11. Invocation of the Emergency Procedure

No

#### 12. Grounds for the Emergency

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#### 13. Confidentiality

No

#### 14. Fiscal measures

No

#### 15. Impact assessment

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#### 16. TBT and SPS aspects

TBT aspect

No - the draft has no significant impact on international trade.



**EUROPEAN COMMISSION**  
GROWTH DIRECTORATE-GENERAL

**Single Market for goods**  
Prevention of Technical Barriers

SPS aspect

No - the draft is not a sanitary or phytosanitary measure

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European Commission

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