Law and Financing for Sustainable Transport

African Road Safety Legislators’ Network
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Law
Legislation is not neutral

- Legislation reflects and reinforces societal power
- It sets the boundaries of the road traffic system, and use of that system leads to unwanted non-communicable diseases
- If we want to change the road traffic system, change the status quo, we must inevitably change legislation
Wide potential scope of legislation for sustainable transport

- Agency functions
- Regulation of passenger transport services, including entry/exit routes/scheduling, pricing/payment systems
- Road Safety Fund
- Processes for assessing infrastructure safety
- Vehicle standards – registration, roadworthiness, exit
- Driver standards – licensing, offences and penalties, exit
- Specific behavioural rules – helmet & seatbelt use, drink driving, speeding etc
- Traffic rules, road markings and signs
- Post crash response arrangements (injury insurance, rehabilitation, compensation)
Legislation directly affects efficiency and performance

• Police and motor vehicle regulators are entirely bound by legislation passed by Parliament and Governments

• Legislation requires constant attention and maintenance to support sustainable transport – for example:
  – Courts may make decisions which require a change to legislation to be made
  – Technology advances in enforcement (such as speed cameras) may require legislative backing before being introduced
Many stakeholders need to be engaged

GOVERNMENT AND LEGISLATIVE BODIES
e.g. transport, public health, education, justice, finance

SUSTAINABLE TRANSPORT POLICY

USERS / CITIZENS

MEDIA

INDUSTRY

PROFESSIONALS

POLICE

NGOs, SPECIAL INTEREST GROUPS
Key points relating to law

• Identify key legislation gaps, and a roadmap for closing those gaps over time
• Consider whether you need to address the structure of the law, for example colonial era road traffic acts
• Consider enforcement, compliance and implementation needs as legislation is developed
Financing
Two types of investment

• Capital investment – significant one-off expenditures:
  – Infrastructure improvement
  – Passenger fleets
  – Information systems (data system, vehicle/driver/operator registries)
  – Operational equipment (patrol vehicles, alcohol/speed testing equipment, speed camera enforcement systems)
  – Buildings, information and communication technology

• Operating investment – regular, recurrent expenses:
  – Maintenance (infrastructure, vehicles, systems, equipment, buildings)
  – Staff (salaries, leave, insurance, training and development)
  – Third party suppliers and contractors
  – Operations (fuel, telecommunications, travel)
Four broad funding sources

• Specific government charges:
  • Fuel levy
  • Road tolls
  • Passenger fares
  • Vehicle registration and inspection fees
  • Levy on new car or spare part imports
  • Injury insurance premiums
  • Driver licensing fees
  • Traffic fines

• General government taxation
• Domestic or foreign loans
• Technical assistance or grant aid
• Fares, fees, charges, levies, taxation can accumulate quickly, allow sustainable operations to be established, and provide a basis to attract further investment

• Establishing a separate Road Safety Fund under law helps guarantee a sustainable level of safety activity

• Loans are appropriate for funding major capital investments, but should be avoided for operational expenses

• Smaller technical assistance or grants funding can help access technical road safety expertise

• Don’t rely on loan or grant funding
Funding strategy & preparation

• Ideally, the costs of delivering regulatory services (such as vehicle inspections or licence tests) are recovered directly from the client at point of transaction
• Ideally, investment funds come from systemic sources – paying for fuel, paying for insurance etc
• Ideally, existing budgets are re-prioritized, then expanded, for safety (in police, transport, local authority budgets)
• Identify overall funding needs and priorities – start with national strategy and action plan, and consider preparing
  – a high level 5-10 year investment plan
  – a 3-4 year budget for implementing an action plan
  – an annual budget
Key points relating to financing

• Consider capital and ongoing investment needs over a longer period
• Align funding streams to suit the investment needs
• Be prepared to argue, debate and negotiate – you will almost never get what you seek
• Always focus on financing highest priority actions