

Policy Implementation Toolkit

STAGES OF POLICY IMPLEMENTATION: DEVELOPING & ADOPTING EFFECTIVE REGULATIONS



Together we can
save millions
of lives.

The Global Road Safety Partnership is hosted by:



International Federation
of Red Cross and Red Crescent Societies



GLOBAL
ROAD SAFETY
PARTNERSHIP



Acknowledgement

↘ GRSP acknowledges the financial contributions from Bloomberg Philanthropies and for making the preparation and publication of this manual possible.



Developing & Adopting Effective Regulations

Introduction to this Implementation Stage

In most countries, once a law is passed, it must be implemented by a regulatory or administrative agency that is specifically identified in the law or legal system. Generally, road safety laws will require a public health authority (e.g., Ministry of Health), transport authority (e.g., Ministry of Transport) or law enforcement authority (e.g., Ministry of Interior) to draft and issue implementing regulations.

Regulations, also called decrees, legislative instruments, rules, or administrative orders, have the force of law. They are usually published by the government agency in draft form for public comment and input prior to being published. Regulations clarify and provide necessary details to carry out the legal requirements under the law. For example, a law may require merchants to sell child restraint systems which comply with certain requirements. Regulations would inform merchants of the specific requirements of all child restraint systems sold within a particular area (typically within a country). In most countries, the regulations can only be drafted on issues that are specifically identified in establishing legislation—regulations outside the authority granted under the legislation may be vulnerable to challenge.

Advocates should push for swift adoption of regulations. Delaying the implementing regulations is often a strategy of those who may have opposed the original legislation. Advocates must work closely with government partners to ensure that the strongest possible implementing regulations are adopted as quickly as possible.

Goals and objectives of this Implementation Stage

Strong road safety laws, coupled with robust and on-going enforcement of those policies and public education efforts, can greatly reduce road crash death and injury. Passing strong legislation is just the first step in achieving this ultimate goal. As cited above, once a law is passed, a relevant authority must draft and issue implementing regulations. During this stage of policy implementation, the primary objective is the adoption of the strongest possible regulations.

Case Study: Developing a local road safety code in Quezon City, Philippines

Lack of enforcement of current road safety laws remains a challenge throughout the Philippines. To address this, local city authorities (called Local Government Units) have substantial powers to adopt ordinances to enforce laws. In 2017, Quezon City, an LGU which has the highest number of road traffic deaths in Metro Manila, partnered with ImagineLaw, a local NGO, to develop a comprehensive Road Safety Code to provide a framework for implementing national road safety legislation in the city.

ImagineLaw established an effective relationship with the Quezon City Vice Mayor and worked with her to identify the road safety policy areas to be addressed in the Code. Following that, ImagineLaw utilized its technical expertise to draft an initial version of the Code and organized a “write-shop” with relevant government stakeholders from the City Council, City Planning office, and others to further strengthen the Code. Following a finalization of the text by ImagineLaw, the City Council adopted the Code within four months of the write-shop.



Role of CSOs in this Implementation Stage

CSOs often play a critical role in ensuring the issuance of strong regulations by monitoring the process and engaging in public and person-to-person advocacy with stakeholders in the process. They may also serve as credible and expert sources for government authorities by providing evidence of and arguments for effective road safety regulatory measures. This stage can involve challenges because some industries (e.g., the alcohol industry or transport owners) or other stakeholders (e.g., professional unions or automobile associations) may strive to weaken the legislation by delaying or weakening the implementing regulations.

At this stage, CSOs can:

- Identify essential elements of the law that require strong regulations;
- Map the process for the development of regulations and the key decision-makers in the process (see GRSP's *Political Mapping for Policy Implementation* tool);
- Advocate for and support an open process for public input into the development of regulations;
- Develop a coordinated plan to engage with legal experts in civil society to work with government agency drafters to develop strong regulations in a timely manner, and with other advocates and policy champions, promote and defend them;
- Expose and counter opposition in the regulatory process;
- Engage the media to keep the public informed and to pressure government authorities to enact timely, effective regulations (see GRSP's *Developing a Media Advocacy Action Plan for Implementation* tool); and,
- Initiate litigations, if necessary, to force the issuance of regulations. Note: This strategy is usually a last resort but if advocates find the government has strong resistance or apathy, the threat of litigation might stimulate action. However, before advocates pursue this strategy, a commitment to follow through with litigation is essential.
- Provide written comments during comment period and attend hearings

Key Questions to Consider at this Implementation Stage

Civil society organizations play a critical role during the implementation process. Many of the same skills and strategies utilized during the advocacy process can be employed during the implementation phase. However, it is important to understand the role of CSO's and government within the implementation process, where and when to engage decision makers, the public, and the media, and the skills and strategies you will need to employ.

Consider the following questions to guide your strategy:

- What regulations are necessary to achieve high compliance? Have you researched the necessary evidence? [See the [World Health Organization's Strengthening Road Safety Legislation: A Practice and Resource Manual for Countries](#)]
- What is the policy process for drafting regulations and who will be involved? Have you conducted political mapping [see GRSP's *Political Mapping for Policy Implementation* tool] to clarify the process and decision makers.
- Have you identified potential opposition? What tactics could they employ to weaken regulations or delay the process?



Global Road Safety Partnership
Route de Pré-Bois 1
1214 Vernier
Geneva
Switzerland

Tel: +41 (0)22 730 4423
Fax: +41 22 733 0395



For more information about
how to join the Global Road
Safety Partnership please
visit our website
www.grsproadsafety.org



Together we can
save millions
of lives.

The Global Road Safety Partnership is hosted by:



International Federation
of Red Cross and Red Crescent Societies