



# CONSUMER PROTECTION & ROAD SAFETY

## A GRSP Positioning Paper

This paper is one of a suite of Positioning Papers from the Global Road Safety Partnership (GRSP).

These papers are designed to create an understanding of the scale of road traffic deaths and injuries and their linkages to other humanitarian and development issues. The Positioning Papers seek to highlight that road safety is a multidimensional issue that requires an urgent and sustained contribution across many sectors.

There are a number of evidence-based interventions aimed at reducing road traffic deaths and injuries, including designing safer roads, strengthening vehicle safety standards, improving road safety management, implementing effective post-crash care, and ensuring the passage, implementation and enforcement of comprehensive laws to protect road users. GRSP Positioning Papers primarily focus on the role of road users and the need for strong laws that help protect them.

### OVERVIEW

The United Nations Guidelines for Consumer Protection outlines several clear consumer rights, including the right to safety and the right to a healthy environment.<sup>1</sup> Road safety and consumer protection are closely linked issues with a shared goal. Road users are consumers, as they are users of public transportation, private vehicles, passenger taxis and bicycles, as well as additional safety equipment. Consumer rights are about purchasing goods and services, as well as about the safe use of such products.<sup>2</sup>

According to the World Health Organization, more than 1.2 million people die each year, and up to 50 million are injured, on the world's roads. Ninety percent of these deaths and injuries occur in low- and middle- income countries [LMICs].<sup>3</sup> The majority of these deaths and injuries are preventable, partly through improved quality standards for vehicles, helmets and restraints and the increased use of these products.<sup>4</sup> As such, it is important to consider road safety from a consumer protection perspective.

### ROAD SAFETY IS A CONSUMER PROTECTION ISSUE

- The right to safety is one of the most important fundamental consumer rights. The United Nations recognises that consumers have a legitimate need to be protected from hazards to their health and safety.<sup>5</sup> From a road safety perspective, this means that vehicles, helmets, and restraint systems need to be designed and built according to prescribed safety standards, and be available in the marketplace and be affordable.<sup>67</sup>
- The UN resolution on “Improving global road safety” sets a benchmark for safety standards by inviting Member States to adopt policies and measures to implement United Nations vehicle safety regulations or equivalent national standards. This is to ensure that all new motor vehicles meet applicable minimum regulations for the protection of occupants and other road users, including seat belts, airbags, and active safety systems fitted as standard.
- Less than half of countries currently implement minimum vehicle safety standards recommended by the Global New Car Assessment Programme [Global NCAP].<sup>8</sup> Especially in LMICs, vehicles that meet the minimum standards may not be available, or can be priced at unaffordable levels, costing a high proportion of people's income.<sup>9</sup>
- The right to be informed is critical to consumer protection and consumers must not be exposed to misleading information and advertising. In many countries, counterfeit child restraint systems and helmets are prevalent in the marketplace and have questionable or no safety benefits. Countries must adopt systems to allow consumers to easily identify child restraints and helmets which adhere to prescribed safety standards.<sup>10 11</sup>





### ESSENTIAL FACTS

- Only 40 out of a total of 193 UN Member States currently fully apply the seven priority vehicle safety standards recommended by Global NCAP. The seven standards are from the UN's World Forum for Harmonisation of Vehicle Regulations and cover seat belts, seat belt anchorages, front and side impact, electronic stability control, pedestrian protection and child seats.
- Between 2010 and 2013, there was a 27% growth in the number of motorized two-wheelers globally. However, only 44 countries have comprehensive helmet laws and standards to protect motorcycle users.<sup>12</sup>
- In many LMICs, the helmets that riders use do not adhere to a prescribed safety standard.<sup>13</sup> A study in nine LMICs found that about half the helmets being used were non-standard helmets, which severely limits the potential safety benefits of helmet use.<sup>14</sup>
- Studies have shown that child restraints that meet recognized safety standards and are used correctly reduce the risk of severe injury and fatality by up to 90% for children up to 4 years of age.<sup>15</sup> However, many consumers do not know the role that child restraints play in saving children's lives, and must be educated about the importance of their use. In many countries, consumers must also be educated about how to identify child restraints that meet recognized safety standards.<sup>16</sup>
- Overall, vehicles sold in 80% of all countries worldwide fail to meet basic safety standards.<sup>17</sup>

### CASE STUDY

## Consumer Protection Organisations Fighting for Better Road Safety Legislation in India

**T**HE ROADS IN INDIA ARE DANGEROUS. According to the World Health Organization (WHO), approximately 200,000 people were killed in road crashes in India in 2013. This crisis continues to drain the country of three percent of its annual GDP.<sup>26</sup> India's Motor Vehicle Act of 1988, the primary road safety legislation in the country, has failed to protect road users. In fact, in its most recent report, the WHO evaluated the law based on five risk factors – enforcing speed limits, prevention of drink driving, use of child restraints, use of seat belts and helmets – and found India lacking in four of those five areas, with seat-belt laws as the only risk factor that met good practice guidelines.<sup>27</sup>

Since 2015, two Indian consumer protection organisations have teamed up with a network of Indian civil society organisations to advocate for comprehensive amendment to the Motor Vehicles Act. Consumer VOICE and the Citizen consumer and civic Action Group (CAG) are playing active roles in a national coalition calling for passage of stronger road safety legislation.

“Every citizen is a consumer. Consumer safety is the underlining principle of the UN Guidelines on Consumer Protection and the Indian Consumer Protection Act. Road & vehicle safety has become a weapon of mass destruction in India taking lives, crippling many and destroying families. Consumer safety is at stake today with government sleeping over introducing tougher laws. Thus as a consumer organisation, it is natural that we support this mission for consumer's safety.”  
*Chief Operations Officer, Consumer VOICE.<sup>28</sup>*

“As citizens, we all are consumers of various services, both private and public. Safe roads are an integral part of the services that the State is mandated to provide and all citizens have a right to this service. Further, consumers have the right to demand safe vehicles from automobile manufacturers. Therefore, being an organisation that has been working towards protecting citizen's rights since the past 30 years, CAG felt strongly about the need for improved road safety, considering the fact that India has the highest number of road accidents in the world”.<sup>29</sup> *Director, Consumer Advisory and Outreach, Citizen consumer and civic Action Group (CAG)*



## SOLUTIONS

In response to the road traffic fatality crisis, the United Nations General Assembly proclaimed the UN Decade of Action for Road Safety (2011-2020), which serves as the primary vehicle by which road safety is being addressed at the global level. The Global Plan of the Decade of Action is organized around five pillars, which detail a series of recognized interventions: improving road safety management; designing safer roads; strengthening vehicle safety standards; ensuring the passage, implementation and enforcement of comprehensive laws to protect road users; and implementing effective post-crash care.<sup>18</sup>

Reducing the burden of road traffic deaths and injuries around the world requires multiple players working together. While each element of the road system (vehicle, road, and person) contributes to any given road crash, road user related factors make a significant contribution and, therefore, require ongoing attention.<sup>19</sup> The Global Road Safety Partnership's Advocacy and Grants Programme focuses primarily on advocating for stronger road safety policies and improving the effectiveness of road safety law enforcement. According to international best practices, adopting and enforcing strong road safety laws on five key risk factors can significantly reduce road traffic death and injury.<sup>20</sup>

- **Speed management:** Setting and enforcing appropriate speed limits is one of the most effective measures in reducing road traffic injuries, influencing

both the risk of being in a road traffic crash, as well as the severity of the injuries that result from crashes. For example, for an adult pedestrian, the risk of dying if struck by a car travelling at less than 50km/h is below 20%. Those odds rise substantially as vehicle speed increases. The same adult pedestrian has a 60% risk of dying if hit at 80 km/h.<sup>21</sup>

- **Seatbelts:** The simple act of buckling a seatbelt is one of the most effective ways to save lives. Correctly wearing a seat-belt reduces the risk of a fatal injury by up to 50% for front seat occupants and by up to 75% for rear seat occupants.
- **Child restraints:** Children wearing an appropriate restraint for their size and weight are significantly less likely to be killed or injured than unrestrained children. Rear-facing restraints for children aged 0 to 23 months have been shown to reduce the risk of death or injury by over 90% and forward facing child restraints by almost 80% compared to being unrestrained.<sup>22</sup>
- **Motorcycle helmets:** Wearing a motorcycle helmet is a proven way to decrease death and serious injury. Helmet usage decreases the risk of injuries by 69%, and deaths by 42%.<sup>23</sup>
- **Drinking and driving:** Driving while impaired by alcohol increases both the risk of a crash and the likelihood that a death or a serious injury will occur. Strictly enforcing an effective drink-driving law can reduce the number of road deaths by 20%.<sup>24</sup>

## ENDNOTES

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## Global Road Safety Partnership secretariat

c/o International Federation of Red Cross  
and Red Crescent Societies  
Route de Pré-Bois 1 | 1214 Vernier | Geneva, Switzerland

Tel: +41 [0] 22 730 42 49 | Fax: +41 [0] 22 733 03 95

E-mail: [grsp@ifrc.org](mailto:grsp@ifrc.org) | Website: [www.grsproadsafety.org](http://www.grsproadsafety.org)

## Global Road Safety Partnership

The Global Road Safety Partnership (GRSP) is a hosted programme of the International Federation of Red Cross and Red Crescent Societies and is a voluntary association of governments, businesses and civil society organisations. GRSP works to reduce deaths and serious injuries as a result of road crashes in low- and middle-income countries in a number of ways. One important way to address this humanitarian crisis is to ensure that strong, evidence-based laws are in place and effectively implemented and enforced in order to protect road users.

GRSP is looking to partner with government and civil society organizations committed to reducing this unacceptable rate of road injuries and fatalities by advocating for stronger road safety policies. For more information on our work – and the Road Safety Grants Programme – please visit our website at [www.grsproadsafety.org/advocacy](http://www.grsproadsafety.org/advocacy).

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