



2. KERÉKPÁROS MISKOLC SZAKMAI NAP

Tiemens, Herbert

Strict liability in the Netherlands

**Szinvapark Bevásárlóközpont, Miskolc
29th april 2016**



Official event of CYCLING FESTIVAL EUROPE 2016



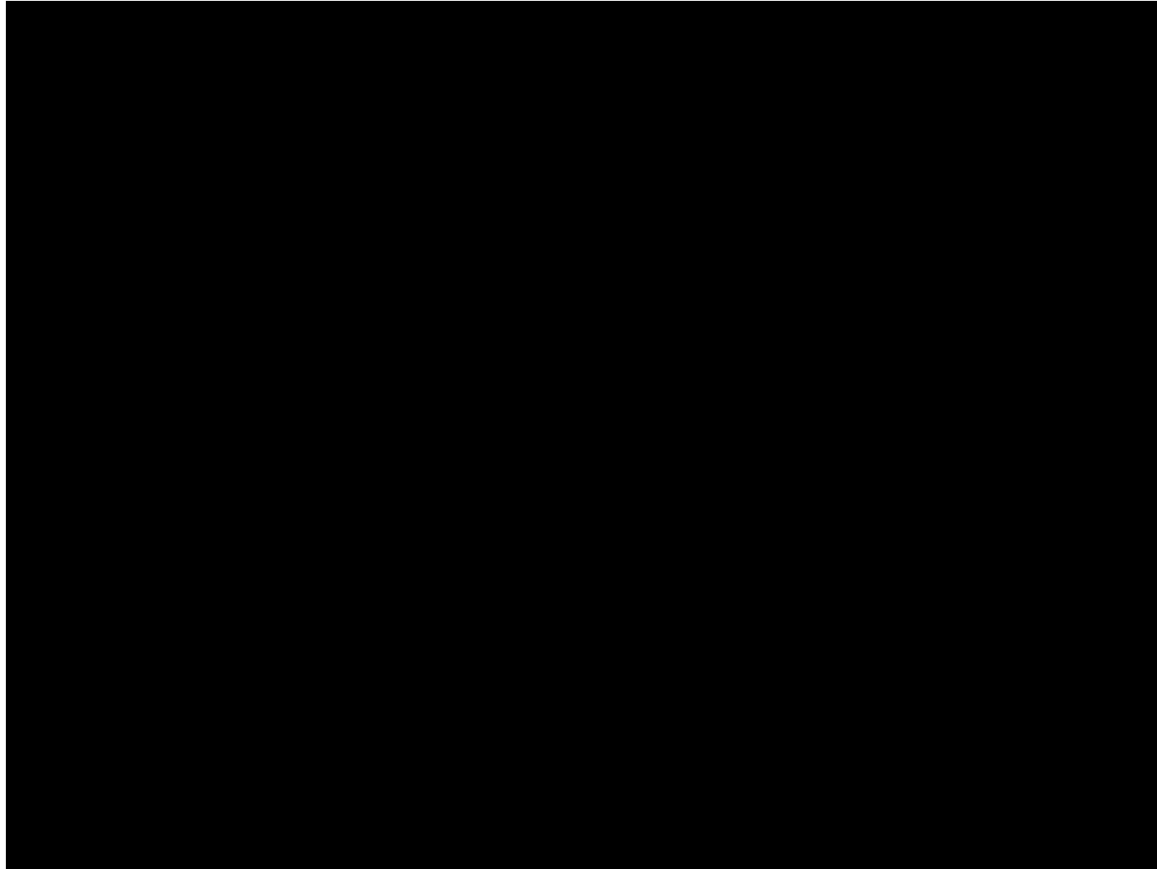


Strict liability in the Netherlands

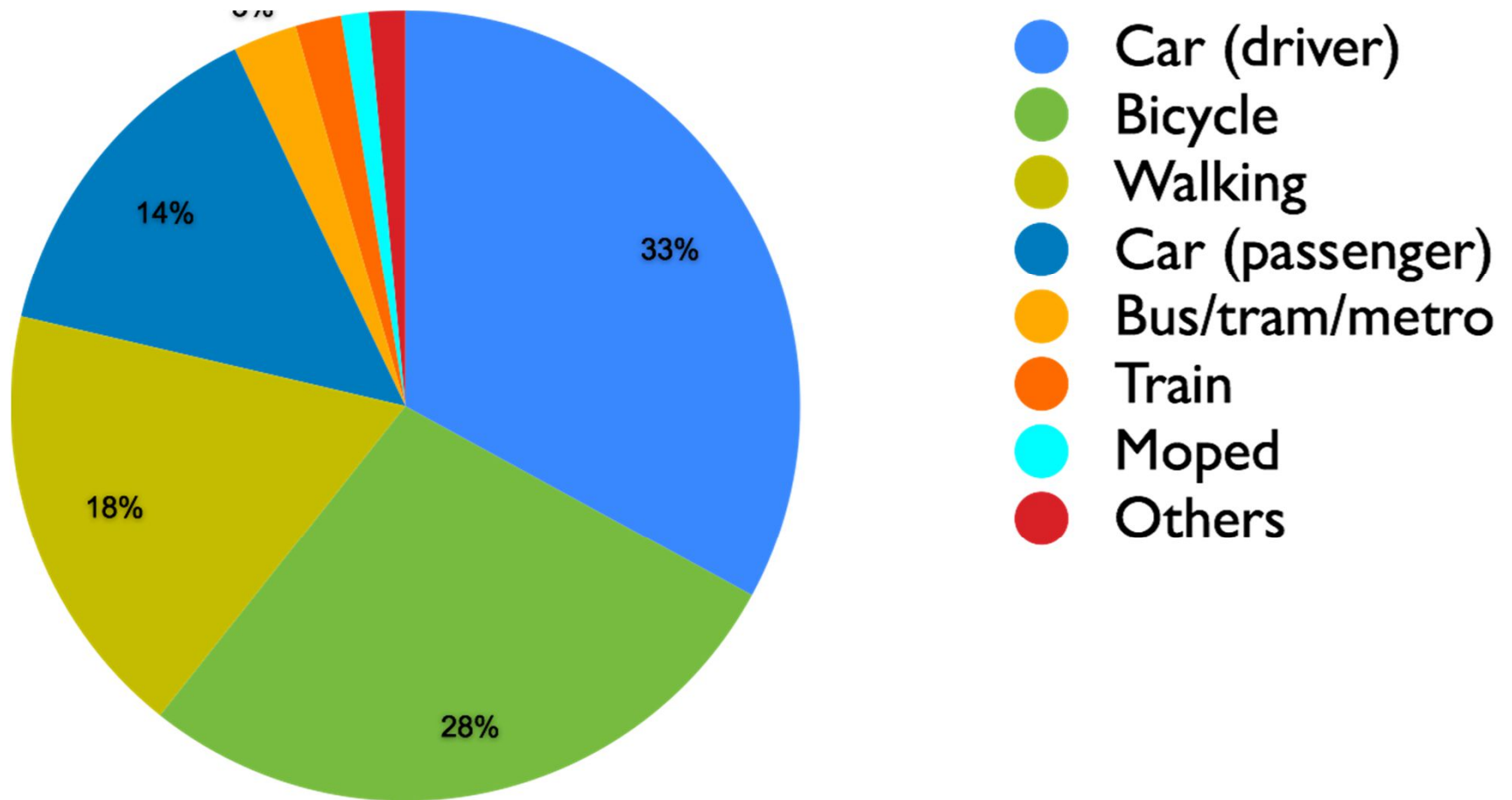
Herbert Tiemens, Miskolc April 29, 2016

How does Dutch Cycling look?

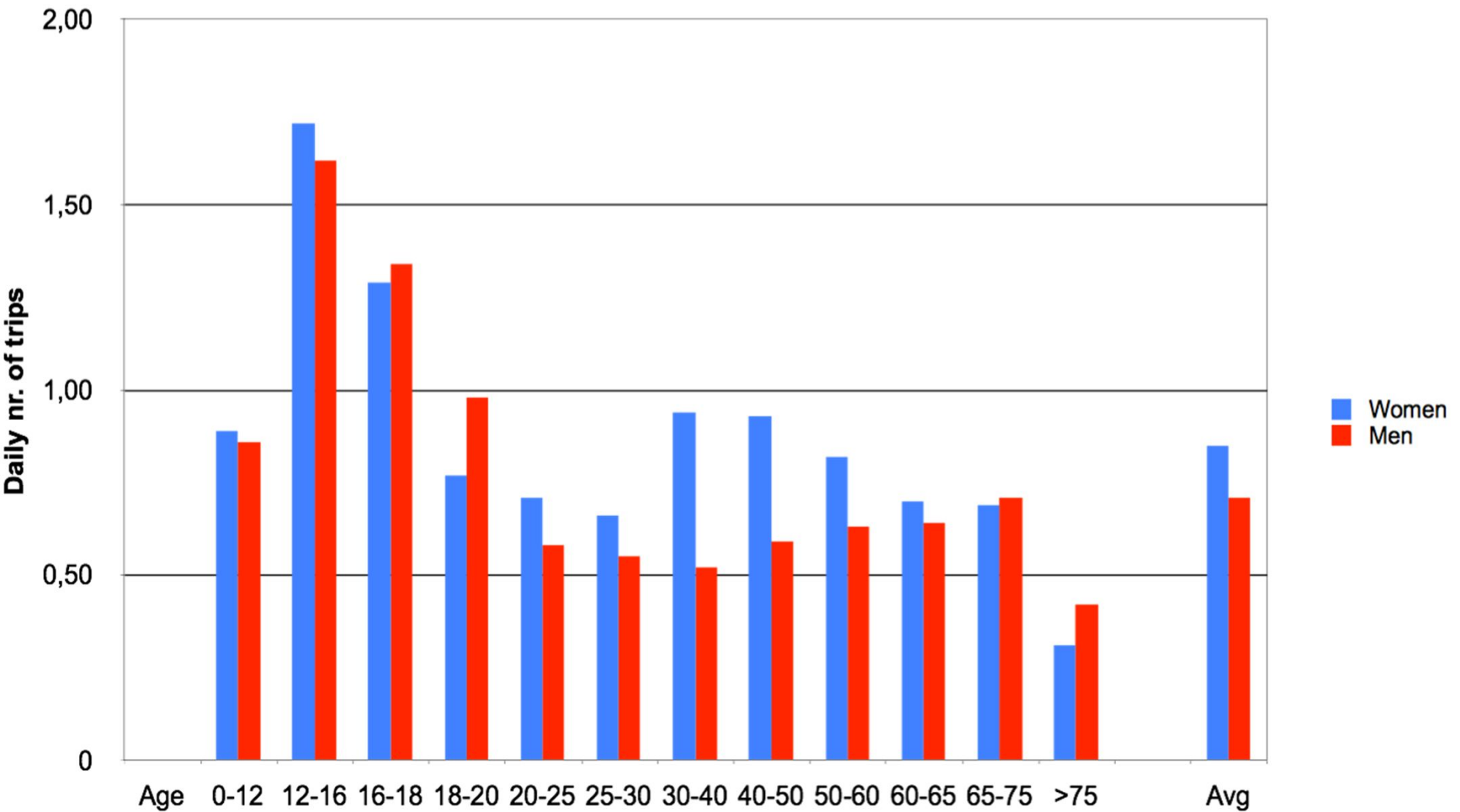
www.bicycledutch.wordpress.com



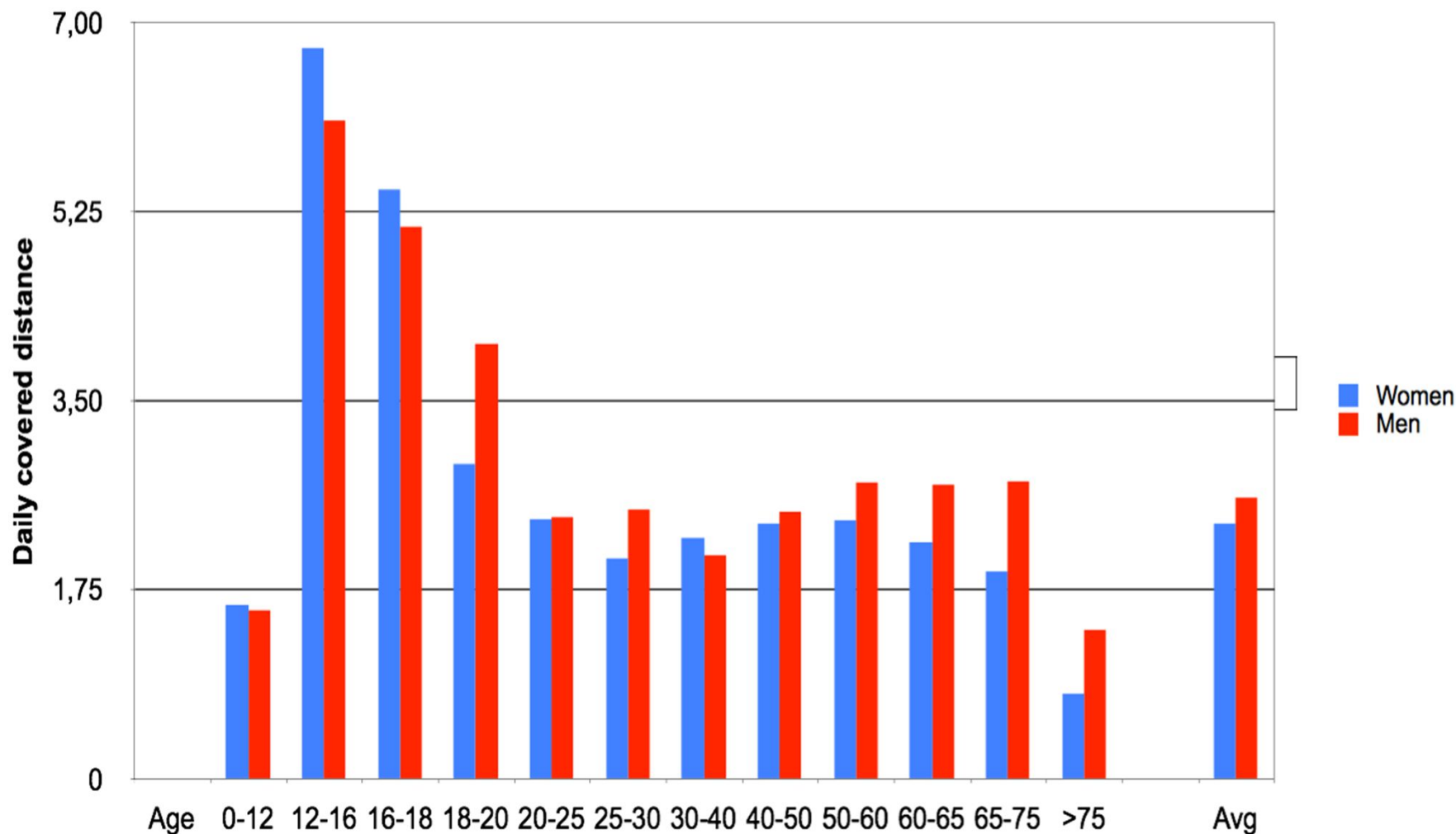
Transport mode in Netherlands



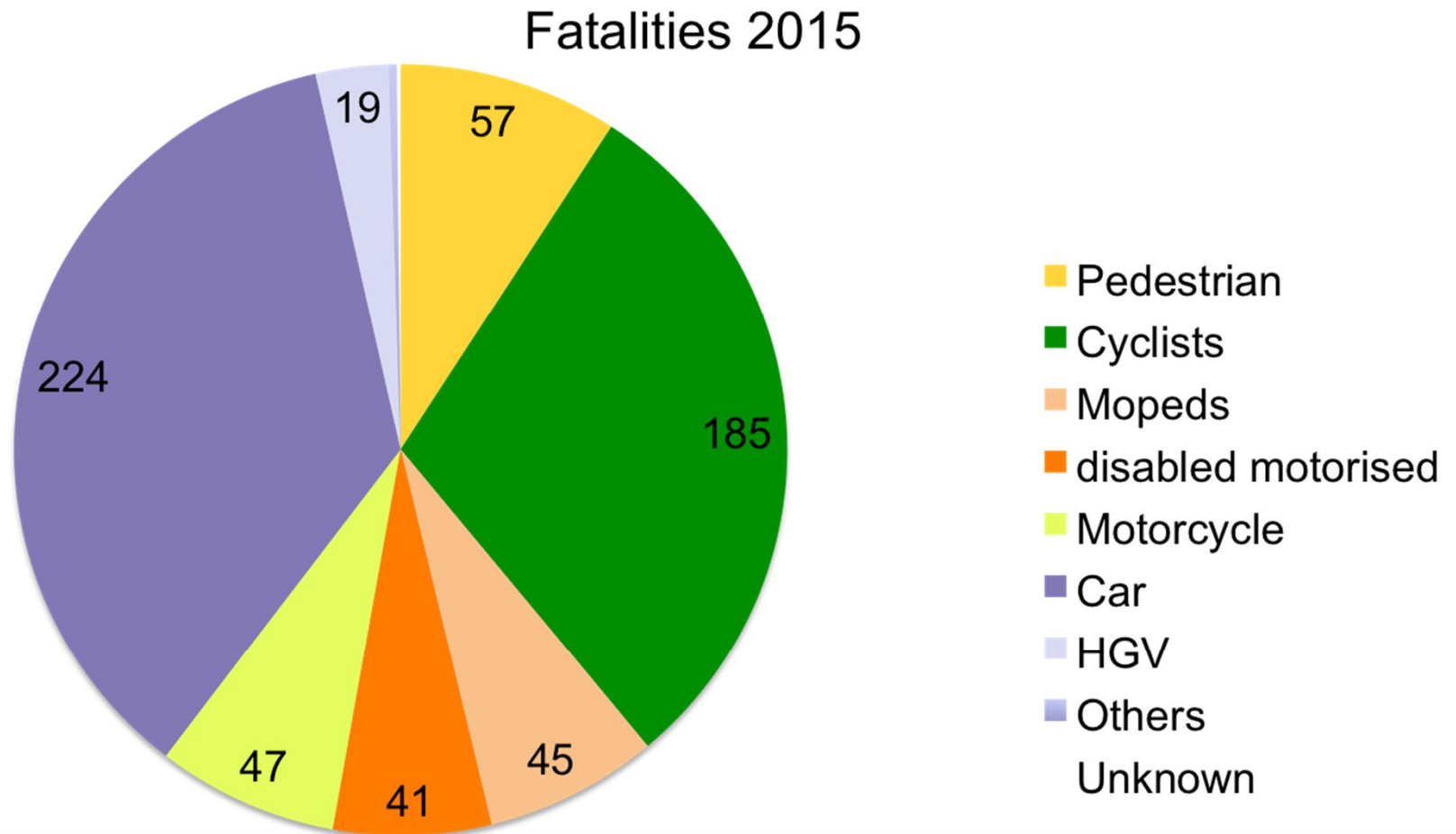
Average daily nr. of trips by gender



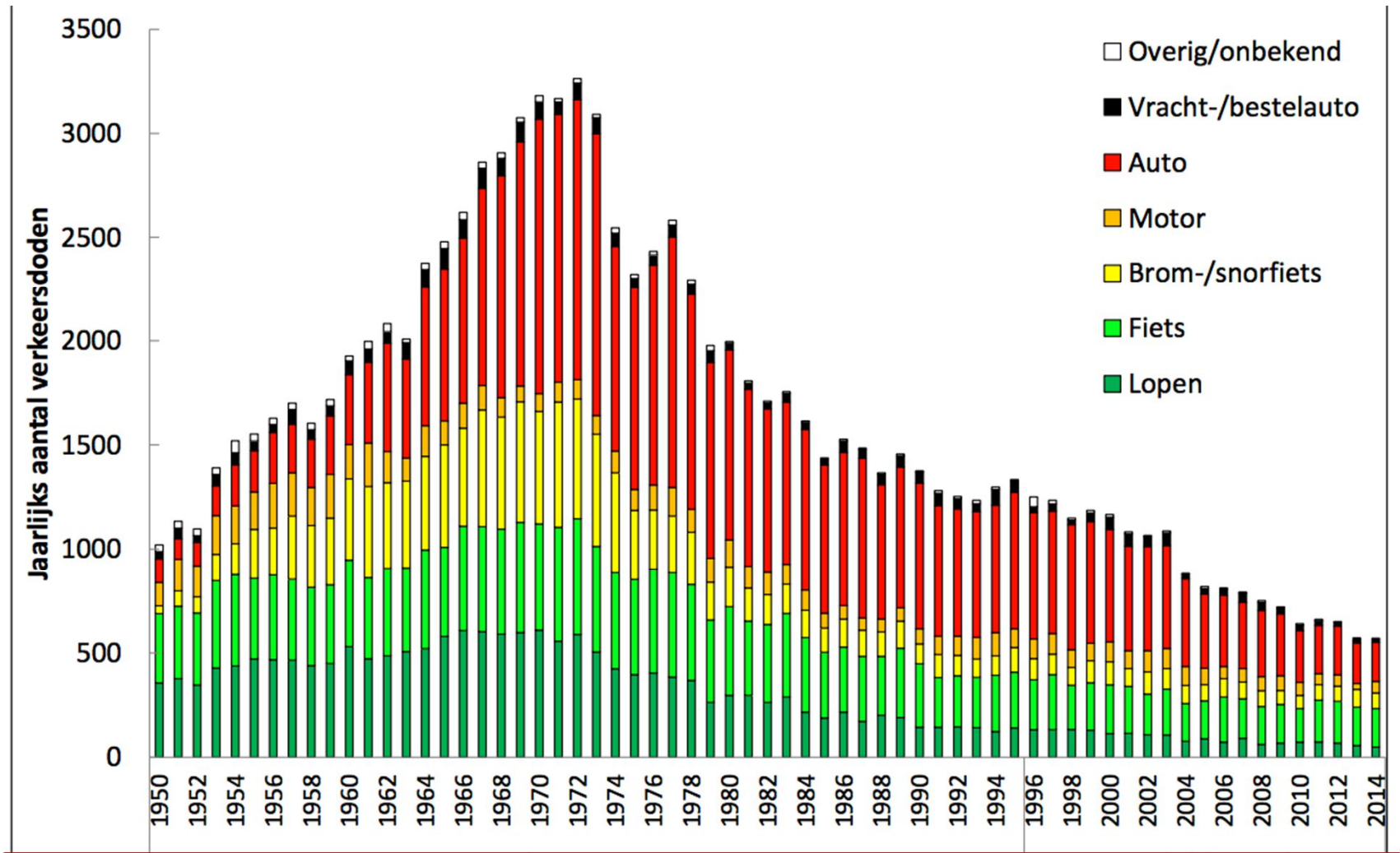
Average daily distance by gender



Road safety in the Netherlands



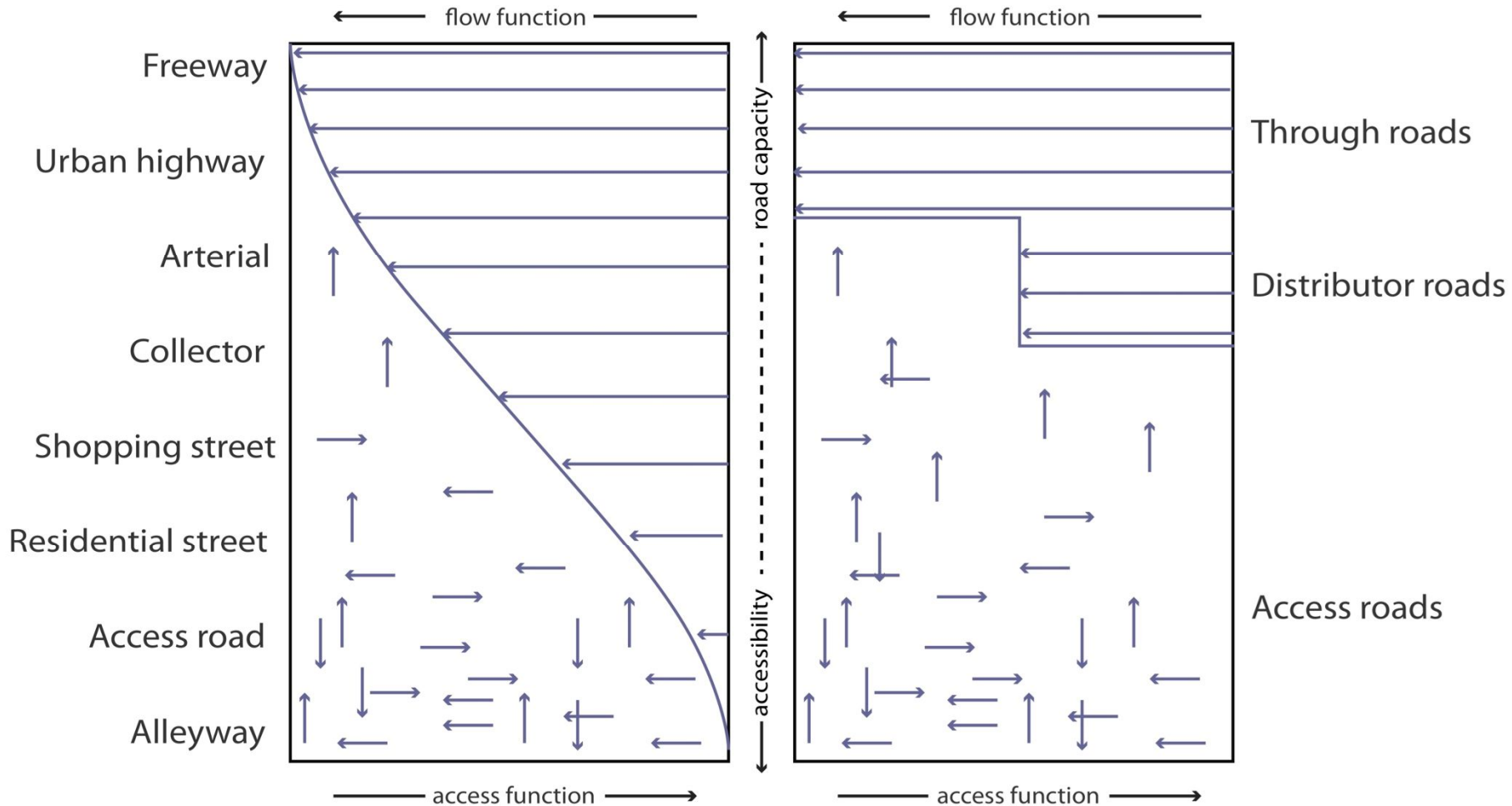
Traffic fatalities in NL since 1950



Safety measures since 1973

- Introduction safety belt and other safety issues
- Introduction moped helmet
- Better enforcement of speed & alcohol use
- Legislation:
 - Lower speed limits > road categorisation
 - Cyclists treated as road users

Sustainable Safety / Vision Zero



Road categorisation

Principles Functionality of roads

highway



connector road



rural road



urban highway



artery road



neighbourhood street



Legal position of cyclists in Netherlands

- Have to use the cycleway (some exceptions)
- Since 1942 no priority on motorized traffic
- Since 1963 Motorized traffic obligated to insure against damage
- Since 2002 Drivers forbidden to hand a mobile, cyclists are free to phone



Changed
in 2001!



In 1992 strict
liability
added

Mixed approach to cyclists!

Cyclists equal to other traffic



Road collisions



Who is responsible?



Who is responsible?



Who is responsible?



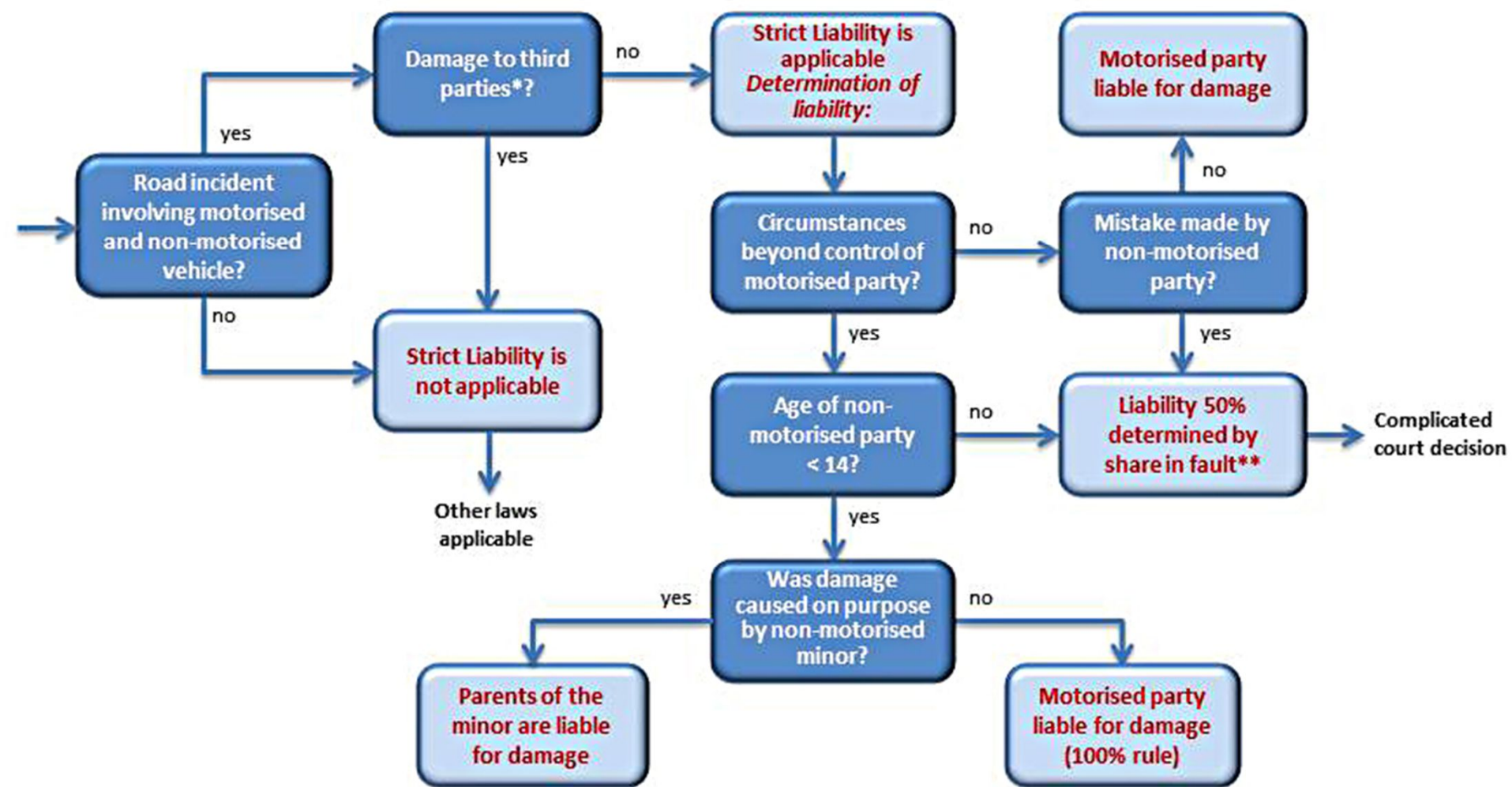
“Strict liability” in the Netherlands

- Car driver is responsible for at least 50% of costs
- Jurisprudence showed negligence is hard to prove
- Children under 14 are full protected

Civil liability is not equal to prosecution



Article 185 Wegenverkeerswet; (a.k.a. "Strict Liability" in Dutch Road Law)



* People or goods transported in the motorised vehicle, a different motor vehicle or animals.

** The motorised party is always liable for 50% of the damage, the rest must be determined.

To cheer you up

This is Dutch
Cycling

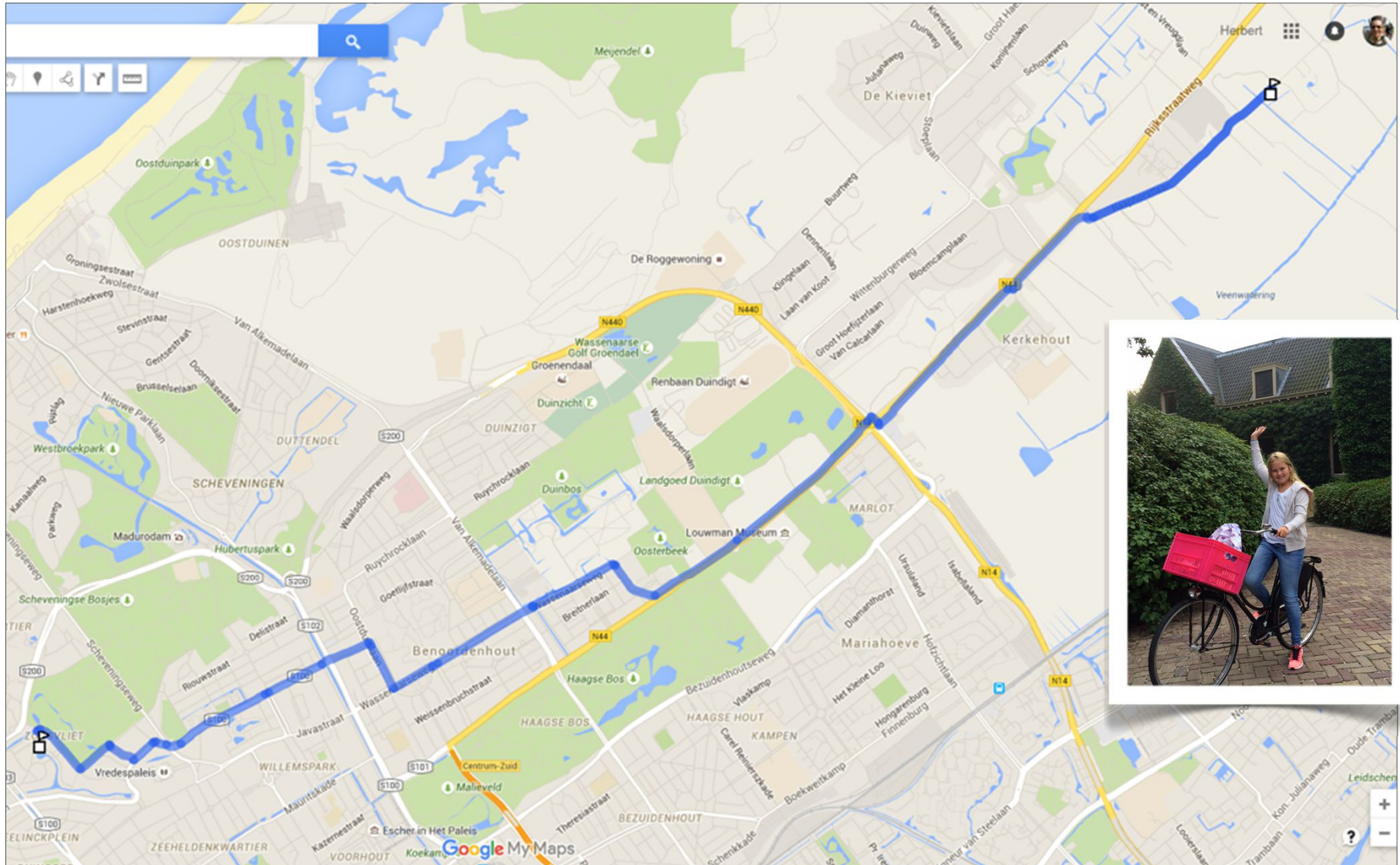




Communication strategy



Dutch Cycling Embassy



BENEFITS

Mobility

Safety

Health

Environment

Tourism

Economy

Etc...

