

Comparison between french and british legislations about road offences

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I would like to compare the French and the English laws about road safety. It is interesting to pick out the British case, because it is a comparable state with France on grounds of population, distance travelled and car park. A European driving licence is expected in late 2012. As yet, each state get on with own traffic law.

As regards it, what strikes me is the difference between France and Great Britain about the form of the law:

- In France, it is the «Code de la route», which is a group of laws and regulations about the use of the highway by the road users. It is not a Code, in the sense of penal, as the labour code for example, but it is a mix between rules and laws of civicism and good behaviour (according to Wikipedia's definition).

Yet, the «Code de la route» describes the offence and the sanction that the offender

face.

For example, the article R412-6-1 of the "Code de la route" says (it is an approximate translation), I quote: "Cell phone use while driving is forbidden".

Actually, the "Code de la route" is law; it is not just good guidance.

- The "Highway Code" is the official road safety manual for Great Britain (it applies to England, Scotland and Wales).

"The Code compiled by the Secretary of State comprising such directions as appear to him proper for the guidance of persons using roads. Failure to observe it is not itself an offence, but may be relied upon in any proceedings to establish or negative liability" (Definition of the Osborn's concise law dictionary).

For example, the article 149 of the "Highway Code" says, I quote "You MUST NOT use a hand-held mobile phone, or similar device, when driving or when supervising a learner driver, except to call 999 or 112 in a genuine emergency when it is unsafe or impractical to stop."

So, it is possible to support the fact that the "Highway Code" is not a legally enforceable document but just guidance that you should follow whenever possible.

And now, I take sides to say that the British road law is more repressive than the French one:

First, unlike France, GB has a repressive policy to struggle against road offences, thanks to the use of 6000 "speed cameras". This system is able to "flash" 2.000.000 road offences, each year. It is not a common radar; it permits to trap drivers doing speed limits, using phone, smoking, eating and drinking, etc.

But, France and GB share the will to create new road offences. For example, driving and talking on the phone at the same time is a specific offence.

Then, in GB, bad drivers could face harsh sanctions. The example of the phone is very striking: in GB, drivers risk two years in jail for using their mobile phones, whereas, in France, the maximum sanction is to pay 150 € (ticket).

My second statement is to think that the British road law is likely more effective than the French one:

The evidence results from the facts, especially from the figures: there are twice fewer deaths in GB than in FRANCE.

On the one hand, this positive report is the result of the British prevention campaigns. From the school, children learn the road safety, thanks to animations, book etc. Moreover, there is a lot of information campaign, on TV etc.

Furthermore, most of the Anglo-Saxon countries make behavioural tests on drivers, easy and very effective to judge the driving capacities of people; but in France, this system is not allowed. It is the role of the Driver and Vehicle Licensing Agency to promote road safety by