

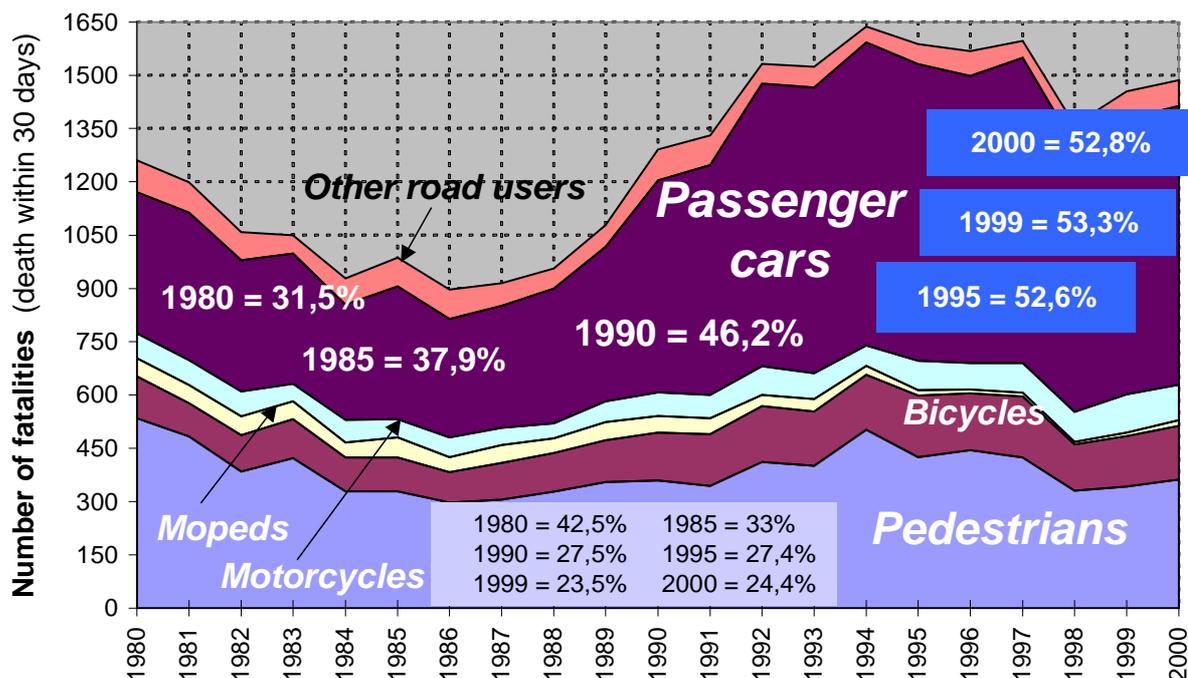
Changing position of vulnerable road users - pedestrians in the Czech and European Legal Order

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Right from the beginning of car transport development pedestrians have been paid little attention; with the growing number of vehicles and roads for these vehicles their position is becoming even worse. Unequal position of pedestrians is also emphasized by their significantly greater vulnerability in the road traffic as compared to other road users. These circumstances have been highlighted more frequently only in recent years, when suitable solutions have been searched on the worldwide scale particularly with regard to making especially the roads in towns safer and friendlier to pedestrians. The objective of this study is to map legal bases for searching optimum outputs within the limits of the Czech legal order. We also consider our obligation to mitigate a special legal regime of walking away from roads, i.e. pedestrian rules for the movement in protected natural areas and in the countryside.

Fatalities according to category of the road users in the Czech Republic (1980 - 2000)



Sources of legal arrangements

Rights and obligations of pedestrians in the Czech Republic are mainly governed by the following legal regulations:

1. Act No. 13/1997 Coll. on roads as amended;
2. Decree No. 104/1997 Coll., which administers Act on roads as amended;
3. Act No. 361/2000 Coll. on road traffic and on modifications of some Acts as amended;
4. Act No. 200/1990 Coll. on infractions as amended;
5. Decree No. 369/2001 Coll. on general technical requirements ensuring the use of constructions by persons with limited movement and orientation ability;
6. Act No. 114/1992 Coll. on nature and countryside protection as amended.

Definition of selected terms

Road

The term "road" is defined in the provision of Section 2 Act No. 13/1997 Coll. on roads as amended as a transport way intended for the use by road and other vehicles and pedestrians including fixed equipment needed to ensure this use and its safety. Roads are divided into the following four categories:

1. Motorways (roads intended for high-speed long-distance and international transport of motor vehicles, built without level crossings, with separated connection points for joining and leaving, and with separated lanes in different directions);
2. Roads (publicly accessible roads intended for the use by road and other vehicles and pedestrians; it is further divided into the roads of the 1st class, 2nd class, and 3rd class);
3. Local roads (publicly accessible roads which predominantly serve for local transport at the territory of a town; it is further divided into the local roads of the 1st class, 2nd class, 3rd class and 4th class); and
4. Purpose-built roads (which serve for connecting individual real estates for the needs of owners of such real estates or for connecting these real estates with other roads, or for the management of agricultural and forest land).

Pedestrian

The Czech legal regulations still do not contain an unambiguous positive definition of the term "Pedestrian"; from the regulations in effect it is therefore necessary to derive that Pedestrian is a road user who directly takes place in the road traffic and at the same time is not a driver, coachman, or person accompanying led or driven animals; Pedestrian is also a person who pushes or pulls a toboggan, perambulator, wheelchair for the disabled, or hand cart the total width of which does not exceed 600 mm, a person moving on skis or roller skates, and/or by means of a manual or motor wheelchair for the disabled, a person leading a bicycle, a person leading a motorcycle of cubic capacity up to 50 cm³, a person leading a dog, etc.



Driver

Driver is a road user who drives a motor or non-motor vehicle and/or a tram; also a person riding an animal is a driver.

Motor vehicle

Motor vehicle is a freewheeled vehicle driven by its own driving unit and a trolleybus.

Non-motor vehicle

Non-motor vehicle is a vehicle moving by means of a human or animal force, for example bicycle, manual cart, or pulled vehicle.

Pavement

Pavement is a road/path predominantly intended for pedestrians, which is usually separated from the road by its increased height or in another way. Pavement constitutes a part of the road on which it is located.

Independent pavements, footpaths, paths in chalet areas, subways, footbridges, stairs, tracks, minor roads, residential and pedestrian zones, etc., constitute local roads/paths of the 4th class. These roads/paths are not available for the operation of normal motor vehicles; they can serve for mixed traffic only under certain conditions.

Pedestrian Crossing

Pedestrian Crossing is a place on the road designed for pedestrian crossing; a relevant road sign marks it.

Pedestrian rights and obligations from the point of view of general road traffic arrangements

With regard to an unequal position of road users, particularly in view of greater vulnerability of pedestrians, the Czech legislation contains a number of provisions that precisely define mutual allocation of rights and obligations of individual categories of road users; to enhance the protection of pedestrians the majority of these provisions are of an imperative nature and determine exact behaviour of each category of road users.

Pedestrian obligations with regard to Act on road traffic

Pedestrians may not use motorways, 1st class roads built as freeways, and local roads built as freeways (it means that in both these cases such roads should have similar construction and technical characteristics as motorways: they are built without level crossings, with separated connection points for joining and leaving, and with separated lanes in different directions), since these roads are only designed for the use by road motor vehicles. As to purpose-built roads, they are usually publicly accessible, and therefore can be also used by pedestrians. It is, however, necessary to pay increased attention to purpose-built roads in an enclosed space or on enclosed premises, which serve for the needs of the owner or operator of the enclosed space or premises, since such roads are only accessible in the scope and in the manner defined by the owner or operator (in case of doubt as to whether a place is an enclosed space or enclosed premises a relevant Road Administration Authority decides). Apart from that the relevant Road Administration Authority may condition or restrict public access to the purpose-built road following a motion of the owner of the purpose-built road after having negotiated it with a relevant Czech Republic Police Authority; however, this can be done only if it is absolutely necessary to protect legitimate interests of such an owner.

General obligations of a pedestrian as a road user include the following obligations set forth by the Act: Obligation to behave in a thoughtful and disciplined manner to avoid such a conduct that could endanger life, health, or property of other persons or his/her own, to avoid harming the environment or life of animals; he/she is obliged to adjust his/her conduct particularly to the structural and technical condition of the road, weather conditions, road traffic situation, his/her abilities, and his/her health condition; he/she is obliged to follow the road traffic regulations stipulated by this Act, to follow the instructions of the Police, of the persons authorized to manage road traffic pursuant to Section 75, Para. 5 and stop vehicles pursuant to Section 79, Para. 1 of Act on road traffic, and to follow the instructions of the persons as stipulated by Act on Municipal Police, issued to ensure safety and fluency of traffic on roads, and finally to follow light signals and accompanying acoustic signals, road signs, road equipment, and devices for traffic information.

1. A pedestrian is further obliged to primarily use a pavement or a footpath. A pedestrian carrying an object by which he/she could endanger traffic on a pavement should use the right roadside or the right margin of the driveway. Unless specified otherwise in the Act, other road users may not use a pavement or a footpath.
2. At places with no pavement or with an impassable pavement a pedestrian should use the left roadside for walking, and at places with no roadside or with an impassable roadside he/she should walk as close as possible to the left margin of the driveway. The maximum of two pedestrian may walk next to one another on the roadside or on the left margin of the driveway. In low visibility conditions, in heavy traffic on the road, at dangerous places or sections where traffic on the road is not well seen pedestrians may only walk in a row.
3. In case of a path for pedestrians and bicycles, marked with the road sign "Path for pedestrians and bicycles", the pedestrian on the path may not endanger a cyclist riding a bicycle.

4. In case of a path for pedestrians and bicycles, marked with the road sign "Path for pedestrians and bicycles", on which the lane for pedestrians is separated from the lane for bicycles, a pedestrian is obliged to use only the lane for pedestrians. The pedestrian may only use the lane for bicycles when circumventing an obstacle, or entering or leaving the path for pedestrians and bicycles; while doing so, he/she may not endanger the cyclists riding a bicycle in the cycling lane.
5. If a controlled crossroad, pedestrian crossing, place for crossing the road, bridge, or subway marked with the road sign "Pedestrian crossing", "Pedestrian Bridge", or "Subway" is not in the distance greater than 50 m, the pedestrian may only use these places for crossing the road. The pedestrian should walk on the right hand side of the pedestrian crossing.
6. At places other than pedestrian crossings a pedestrian may only cross the road perpendicularly to the road axis. Before entering the road a pedestrian should make sure that he/she may cross the road without endangering himself/herself or other road users. A pedestrian may only cross the road if, with regard to the distance and speed of incoming vehicles, he/she does not force the drivers to suddenly change the direction or speed of their vehicles.
7. When a pedestrian enters a pedestrian crossing or a road, he/she may not stop there or stay there without any reason. A blind pedestrian shows his/her intention to cross the road by waiving his/her white stick in the direction of crossing. A pedestrian may not enter a pedestrian crossing or a road if vehicles with the right of way are coming; if a pedestrian finds himself/herself on the pedestrian crossing or on the road at that time, he/she should immediately make space to enable passing of these vehicles. A pedestrian may not enter a pedestrian crossing or a road immediately in front of an incoming vehicle. A pedestrian shall give way to a tram. A pedestrian may not climb over a railing or another obstacle on the road.
8. A pedestrian should pay particular attention before a railway crossing; he/she should especially make sure whether he/she may safely cross the railway crossing.
9. A pedestrian may not enter the railway crossing in the cases stipulated in Section 29, Para. 1, Letter a) through e) of Act on road traffic, i.e.:
 - a) If a warning signal of the crossing safeguard equipment consisting of two red alternately flashing lights is in operation;
 - b) If a warning signal of the crossing safeguard equipment consisting of alternate sound of a hooter or warning bell is in operation;
 - c) If the crossing barriers are coming down, are down, or are coming up;
 - d) If a train or another rail vehicle can be already seen or heard, or if its hooting or whistling can be heard; this does not apply if an intermittent white light signal of the crossing safeguard equipment is on;
 - e) If a railway employee gives instructions to stop a vehicle by making circles with a red or yellow flag or, in bad visibility conditions, by making circles by a red light.

In the cases indicated in items a), b), and c) a pedestrian may only cross a railway crossing if he/she has received a verbal approval from an authorized employee of the rail operator. In such a case the pedestrian is obliged to follow the instructions of the authorized employee of the rail operator.

When using a road, an organized group of pedestrians (the so-called "pedestrian formation") basically has the position of a driver or a vehicle; from this rules are derived that apply to this group (for example on giving the right of way). An essential thing is that the pedestrian formation uses the right side of the driveway, and if the maximum of two people walk next to each other, they can use the right side of a pavement. In bad visibility conditions the

formation should be marked in the front on both sides by a non-dazzling white light, and at the back on both sides by a non-dazzling red light. Clothes accessories made of retro-reflexive materials may substitute the marking by the lights. The leader of the formation may be only a sufficiently competent person older than 15 years of age. A different regime applies to an organized group of children of pre-school age; normal pedestrian provisions apply to them since such children cannot make a formation. A leader of an organized formation of school children and a leader of organized children of pre-school age are authorized to stop vehicles when crossing the road. When walking across a bridge, an organized formation of pedestrians may not tread in a uniform step.

We basically distinguish local arrangements of road traffic - i.e. the arrangements implemented using road signs, light or accompanying acoustic signals, and road equipment, and general arrangements of road traffic - i.e. the arrangements set forth by Act on road traffic. The local arrangements always prevail over the general arrangements. Apart from that, in extraordinary circumstances the so-called temporary arrangements of road traffic may be applied. This includes the arrangements implemented using portable vertical road signs, pass-over horizontal road signs, light signals, and road equipment; this kind of arrangements prevail over both general and local arrangements of road traffic.

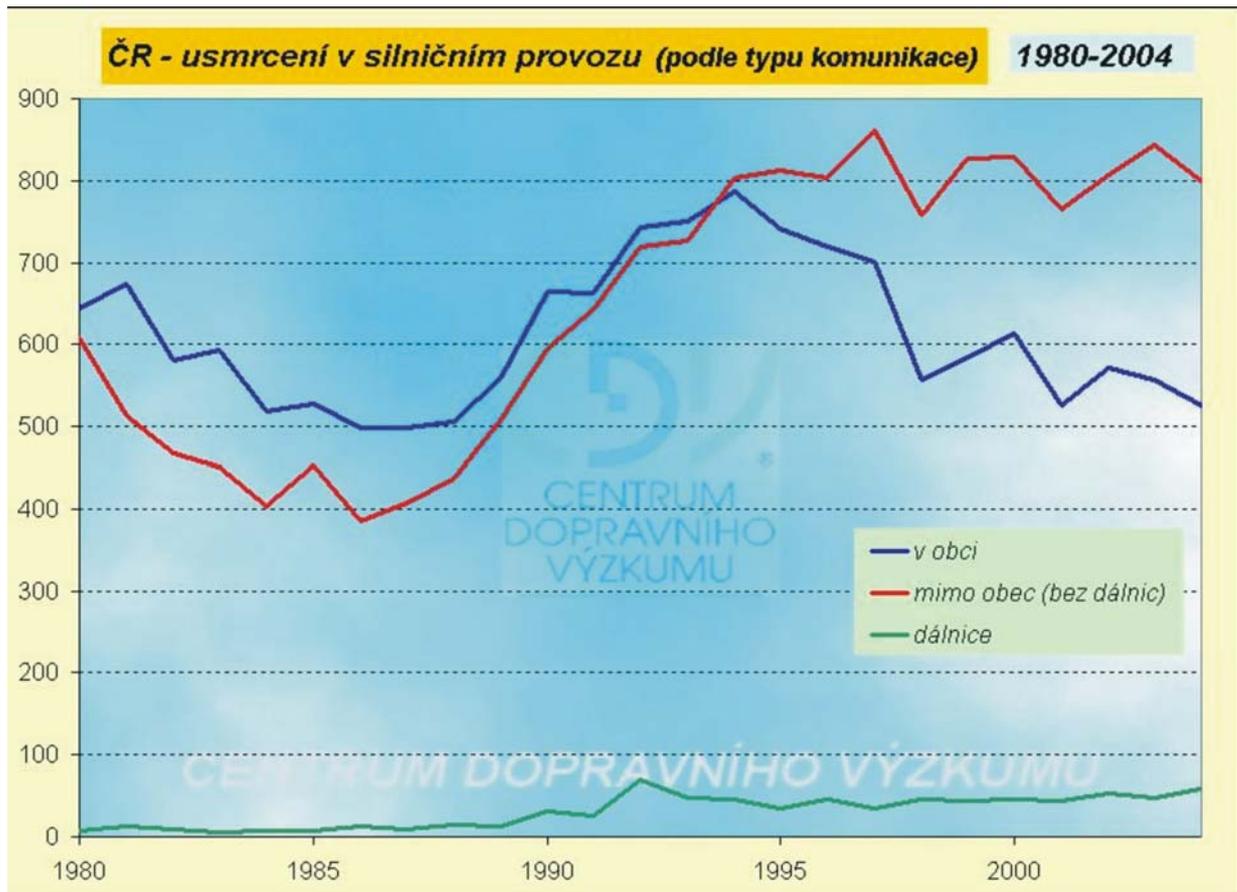
It is then up to the actual pedestrians to point out the places where local road traffic arrangements currently unjustifiably discriminate the pedestrians (and, for example, causes increased exposure of pedestrians to the collision with vehicles), possibly suggest specific improvements, and ask relevant entities for a remedy.

Drivers' obligations towards pedestrians

Apart from the above general obligations of the road users Act on road traffic also sets forth a number of special restrictions and directives for the drivers of both motor and non-motor vehicles, which should result in enhanced protection of pedestrians.

1. With the exception of a tram driver a driver is obliged to enable a pedestrian who stands on the pedestrian crossing or obviously intends to use the pedestrian crossing to cross the driveway in an undisturbed and safe manner; the driver of such a vehicle should therefore approach the pedestrian crossing in a speed that would enable him/her to stop the vehicle before the pedestrian crossing, and if it is necessary, he/she is obliged to stop the vehicle before the pedestrian crossing.
2. A driver should reduce the speed of a vehicle or stop the vehicle before the pedestrian crossing if the drivers of other vehicles going in the same direction reduce the speed of their vehicles or stop their vehicles before the pedestrian crossing.
3. In no way may the driver endanger a pedestrian crossing a road which the driver is turning to, when the driver is turning to a place away from the road, when entering the road, and when turning round or reversing.
4. A driver may not overtake on the pedestrian crossing and immediately before it, he/she may not turn round or reverse on the pedestrian crossing, and finally he/she may not stop and stand on the pedestrian crossing and in the distance shorter than 5 metres before the pedestrian crossing.

Pedestrian fatalities according road type: Urban, Rural, Motorway



Obligations of other road users and pedestrians towards pedestrians

Act on road traffic also specifies mutual rights and obligations of other road users and relationships between individual pedestrians or groups of pedestrians; it exceeds the framework of the arrangement of general road users' obligations.

1. A person using a manual or motor wheelchair for the handicapped may not endanger other pedestrians on a pavement or footpath. If he/she cannot use a pavement, he/she may use the right roadside or right margin of the driveway.
2. A person leading a bicycle or a moped may only use a pavement if he/she does not endanger other pedestrians; otherwise he/she should use the right roadside or right margin of the driveway.
3. A person moving on skis, roller skates, or using similar sports equipment may not endanger other pedestrians on a pavement or footpath.
4. In case of a path for pedestrians and bicycles, marked with the road sign "Path for pedestrians and bicycles", the cyclist may not endanger a pedestrian walking on the path.
5. In case of a path for pedestrians and bicycles, marked with the road sign "Path for pedestrians and bicycles", on which the lane for pedestrians is separated from the lane for bicycles, a cyclist is obliged to use only the lane for cyclists. The cyclist may only use the lane for pedestrians when circumventing an obstacle, overtaking, turning round, turning, or entering or leaving the path for pedestrians and bicycles; while doing so, he/she may not endanger the pedestrians walking in the pedestrian lane.

Specific mode of transport in pedestrian and residential zones

As far as pedestrian and residential zones are concerned, which are the areas demarcated by relevant road signs, they are mainly intended for pedestrians who may use the full width of the road in such zones; in residential zones playing of children on roads is also permitted. Vehicles may enter the residential zone, which does not apply to the pedestrian zone. However, some vehicles may also enter pedestrian zones; they are designated by a note or symbol in the bottom part of the road signs demarcating the pedestrian zones; the information may also include the information when the specified vehicles is allowed to enter the zone. The entry for the so-called "resident or service vehicles" is usually permitted; they may include the following services: Vehicles ensuring the supply or repair, maintenance, municipal, or similar services; vehicles of handicapped persons; taxis; and the vehicles whose drivers or operators have a domicile, company seat, or garage at the place behind the road sign. The maximum speed in the residential and pedestrian zone is 20 km / hour; drivers should pay increased attention to pedestrians. Vehicles in the zones may not endanger pedestrians and, if necessary, they should stop. On the other hand pedestrians should enable the vehicles to pass. Standing in the residential and pedestrian zones is only permitted at places designated as parking places.

Special regime of walking away from roads

Access to the countryside

Act No. 114/1992 Coll. governs the access to the countryside on nature and countryside protection as amended. According to Section 63 of this Act everybody is entitled to free passage over the land owned or leased by a state, municipality, or another legal entity, providing he/she does not cause damage to the property or health of another person or interfere with the rights of personal protection or protection of neighbourly rights. If such land is fenced or enclosed, its owner or lessee is obliged to arrange for some technical or other means at a suitable place to ensure free passage over this land. The right of free passage does not apply to built-up or construction land, yards, gardens, orchards, vineyards, hop fields, or land intended for farm breeding of animals; arable land, meadows and pastures are excluded from this entitlement in the seasons when the vegetation or land could be damaged or during cattle grazing.

Act on nature and countryside protection also provides that publicly accessible purpose-built roads, footpaths, and tracks away from built-up territory may not be cancelled (or established) without an approval of a relevant nature protection body. Municipalities are legally bound to keep an overview of publicly accessible purpose-built roads, footpaths, and tracks within the sphere of their territorial competence.

As far as walking in the woods (the land intended for fulfilling the function of the woods) is concerned, Act No. 289/1995 Coll. on the woods as amended provides the right for everybody to enter the woods. The State Woods Administration body can make a decision on temporary restriction or banning of the entry to the woods following the motion of the woods owner or subject to its own discretion.

Particularly protected areas

Some restrictions applicable to pedestrians pertain to the existence of particularly protected areas as stipulated by Act on nature and countryside protection, whether they are large-scale (national parks (NP's), protected landscape areas (CHKO's)), or small-scale areas (national natural reserves, or natural reserves and national natural monuments, or natural

monuments). Such restrictions either directly result from the law-stipulated so-called basic protection conditions (exceptions from bans are only possible in the cases when another public interest significantly exceeds the nature protection interest), or some activities may be subject to the previous approval of the nature protection body according to the law, and in this case they constitute the so-called closer protection conditions, which are provided in the legal regulation by which the particularly protected area has been established (NP's are established by law, CHKO's are established by a governmental order, small-scale areas are established by a decree of the Ministry of Environment or relevant NP or CHKP administration). Nevertheless, the access to the particularly protected areas is no longer restricted by means of the closer protection conditions; the institute of access restriction for reasons of nature protection serves for this purpose.

Basic protection conditions of national parks thus directly stipulate the ban on accessing the places away from the designated paths subject to the approval of the nature protection body in the area of the first zone of the national parks. The ban on accessing the places away from the designated paths following an approval of the nature protection body also results from basic protection conditions of the national natural reserve and applies to the whole of its territory. The bans indicated do not apply to owners or lessees of the land.

The national park administration is entitled to issue a decree for the territory of the national park which sets forth the so-called visiting rules; by this the administration can control recreational and tourist activities in the national park territory, hiking including.

Act on nature and countryside protection further stipulates the institute of restricting the access for the reasons of nature protection. This enables the nature protection body, after having discussed the issue with municipalities affected, to restrict or even ban the public access to a part or the whole of the natural park, national natural reserve, national natural monument, or the first zone of the protected landscape area if there is a danger of their damage particularly by an excessive number of visitors. In such a case the ban or restriction should be duly indicated on all access roads and using a suitable means also at other places in the countryside.

The above shows that in general the following applies: Pedestrians may freely walk in the woods, on the land of the agricultural land fund owned or leased by the state, municipality, or another legal entity, unless they interfere with the rights of the others and unless it is prevented by the specific use of the land (gardens, vineyards, grazing livestock, vulnerable vegetation, constructions), and on the land of the agricultural land fund owned by a natural entity subject to the same conditions; in this case, however, only providing its owner does not object to it.

In the first zone of the national park and throughout the territory of the national natural reserve it is forbidden to walk away from official and marked paths. Pedestrians in particularly protected areas may be further restricted only by means of the visiting rules of the national park, or in specific cases - if required by the interest in nature protection - by the ban on the access or by a specific access regulation imposed by a relevant nature protection body.

Position of pedestrians with regard to Act No. 200/1990 Coll. on infringements

If a pedestrian makes an offence against road traffic safety and fluency, i.e. he/she causes a road accident by violating a special legal regulation (Act on road traffic), during which a person is killed or injured (Section 22, Para. 1, Letter h) of Act No. 200/1990 Coll. on infringements), he/she causes an accident by violating the same legal regulation during which material damage is caused to one of the vehicles involved including transported things or to other things, which probably exceeds the sum of 50,000 CZK (Section 22, Para. 1, Letter i)), or he/she violates the rules of road traffic safety and fluency by another conduct

(Section 22, Para. 1, Letter I)), a penalty could be imposed on him/her from 25,000 CZK to 50,000 CZK as well as the ban on the activity from one year to two years in the first case, a penalty from 2,500 CZK to 5,000 CZK in the second case, and a penalty from 1,500 CZK to 2,500 CZK in the third case. If the infringement is reliably investigated, the reprimand does not suffice, and the person who committed the infringement is willing to pay the penalty, the infringement may be solved by imposing the penalty on the spot in the so-called "block procedure"; it is not possible to appeal against this penalty. In this case a penalty of up to 2,000 CZK can be imposed for an infringement according to Section 22, Para. 1, Letter I). The penalty blocks shall contain the following information: Who, when, and for what infringement the penalty in the "block procedure" was imposed. If the perpetrator cannot pay the penalty on the spot, he/she is issued a block for the penalty not paid on the spot with an instruction of how the penalty should be paid, the due date for the payment, and the consequences in case of failure to pay the penalty.

Unless they were dealt with by imposing the penalty in the block procedure, municipalities deal with infringements against the road traffic safety and fluency at the first stage. A local administrative body in the competence district of which the infringement was committed is competent to deal with the infringement. The Police will retain the authority to impose penalties in the block procedures.

Pedestrian protection in the legislation of the European Union

Regardless of the extent to which the discussions about the enhanced safety of pedestrians are held all over the civilized world, it is necessary to state that the issues concerning the arrangement of the legal position of pedestrians have been almost exclusively dealt with by national legislations; it means that the outputs from such specialized discussions are predominantly in the form of suggestions and recommendations to individual law-making bodies at the level of individual states, who may then apply such recommendations during the legislative process.

If we then focus on the supranational legal arrangement of the position of pedestrians, which in our case concerns the regulations belonging to the European Union legislation, we find out that the EU leaves details of the national arrangement to individual member countries; however, by adopting Directive 2003/102/EC of the European Parliament and of the Council of 17 November 2003 relating to the protection of pedestrians and other vulnerable road users before and in the event of a collision with a motor vehicle and amending Council Directive 70/156/EEC, the relevant bodies have agreed upon the need of the following measures:

1. In order to reduce the number of road casualties it is necessary to introduce measures to improve the protection of pedestrians and other vulnerable road users before and in the event of a collision with the front part of a motor vehicle.
2. In the framework of an action plan for road traffic safety it is absolutely necessary to establish a set of active and passive measures to improve safety of vulnerable road users, such as pedestrians, cyclists, and motorcyclists (preventing accidents and mitigating the consequences by calming down the traffic and improving infrastructures).
3. The internal market includes the space without inner borders in which free movement of goods, people, services and capital is ensured; for this purpose the system of the European Communities for approving the type of motor vehicles is applied. Technical regulations for approving the type of motor vehicles from the point of view of pedestrian protection should be harmonized to avoid the acceptance of requirements differing in individual member countries and to ensure proper functioning of the internal market.

4. The objectives relating to pedestrian protection may be achieved by the combination of active and passive safety measures; the recommendations of the European Enhanced Vehicle Safety Committee (hereinafter "EEVC") of June 1999 are the subject matter of a broad accord in this sphere; these recommendations suggest introducing functional requirements for front parts of some categories of motor vehicles with the objective of reducing their dangerousness. This Directive indicates the tests and marginal values according to the EEVC recommendations.
5. The Commission should review a possibility of extending the sphere of action of this Directive to the vehicles with the maximum weight not exceeding 3.5 t, and communicating its findings to the European Parliament and the Council.
6. This directive should be considered as one element of a wider set of measures towards the road users, vehicles and infrastructure, which should be adopted by the Communities, industry, and relevant member states' bodies on the basis of sharing good practices and with the objective of enhancing the safety of pedestrians and other vulnerable road users in the stages before a collision (active safety), during the collision (passive safety), and after the collision.
7. With regard to the speed of the technical development in this area the industry may propose alternative measures that would be at least equivalent to the requirements of this Directive in terms of the actual effectiveness - passive measures or the combination of active and passive measures - and as such will be assessed following the feasibility study elaborated by independent specialists before 1 July 2004; the introduction of alternative measures which are at least equivalent in terms of the actual effectiveness would require the modification or alteration of this Directive.
8. With regard to the ongoing research and technical progress in the sphere of pedestrian protection this issue requires a certain level of flexibility. The Directive should therefore stipulate a basic provision for the protection of pedestrians in the form of tests the new types of vehicles and new vehicles would have to comply with. Technical requirements for conducting such tests should be adopted by the decision of the Commission.
9. Due to the fast developing technology of active safety the systems for mitigation and prevention of collisions may bring about greater benefits for safety, for example in reducing the speed of the collision, or changing the direction of the collision. This Directive should encourage the development of such technologies.
10. The associations representing European, Japanese, and Korean manufacturers of motor vehicles have committed themselves to commence: using the EEVC recommendations concerning the marginal values and tests or agreed-upon alternative measures with at least the same effectiveness from 2010, and using the first set of the marginal values and tests from 2005 for new types of vehicles, and using the first set of the tests in 80% of all new vehicles from 1 July 2010, in 90% of all new vehicles from 1 July 2011, and in all new vehicles from 31 December 2012.
11. This Directive should also contribute to the achievement of a high level of protection in relation to the international harmonization of legal regulations in this area, which was commenced in the framework of the agreement of the European Economic Commission of the United Nations of 1998 on adopting uniform technical regulations for wheeled vehicles, equipment and parts that could be assembled or used on wheeled vehicles.
12. This Directive is one of the special Directives that have to be observed to ensure the conformity with the European Communities' procedure for the type-approval introduced by the Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers.



Conclusion

In conclusion it should be stated, even in view of the above facts that the legal regulations regarding the position of pedestrians in the Czech Republic are at the level of the European standards both in the sphere of active and passive safety. Particularly recently it has become obvious in the whole society that each road user is starting to understand in a better way the importance of enhanced safety of pedestrians. This was mainly helped to by relatively new legal regulations encompassing some essential elements of pedestrian protection, such as the introduction of an absolute right of way of pedestrians, decreased speed limits of vehicles in towns, and also reduced tolerance to drinking and driving. This work has introduced a certain legal framework, which defines a mutually relatively well-balanced system of rights and obligations of road users increasingly focused on the protection of pedestrians as relatively most vulnerable road users. Nevertheless, any legal arrangement only provides a certain degree of formal protection, and to achieve the highest possible safety of pedestrians a strong appeal to each individual is necessary.

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