

RESOLUTION NO. 56 ON ADVERTISING THAT CONFLICTS WITH ROAD SAFETY AIMS

[CM(89)37]

The Council of Ministers of Transport, meeting in Paris on 22 November 1989,

HAVING REGARD to the report on advertising that conflicts with road safety aims.

NOTING:

- That a total of over 65 000 people are killed each year in road accidents in ECMT Member countries.
- That the analysis of factors contributing to road accidents clearly shows the predominant role played by human behaviour.
- That such behaviour is bound up with the public image of the car and may be strongly influenced by advertising.

CONVINCED that it is necessary to continue to make even greater endeavours to change the behaviour of road users on a lasting basis.

CONSIDERING that any improvement in human behaviour first calls for better quality of advertising which does not prompt drivers to adopt behaviour that is aggressive, violent or to the detriment of other road users but which, on the contrary, attaches greater importance to forms of behaviour conducive to safety on the roads.

RECOMMENDS the governments of ECMT Member countries:

1. To draw the attention of manufacturers and importers of motor vehicles and equipment, producers of motor fuels and oils, advertising agencies and journalists to the dangers that may be associated with advertising which does not take account of road safety requirements.
2. To ask them to introduce or develop conventions or other agreements with a view to monitoring the content of advertising messages themselves so as to ensure that they comply with the rules of a code of practice laid down beforehand and compatible with road safety requirements and, more particularly, to urge them to regard as inappropriate any advertising whose content.
 - Extols performance or power and treats driving as a sport.

- Shows scenes evoking motor racing, lightning acceleration and top speeds.
 - Evokes needs incompatible with safety or suggests exaggerated personal values such as dominance, impetuosity, or power.
 - Instils in the driver a false sense of safety by suggesting that particular technical characteristics (of the vehicle or its accessories) will enable him to master every dangerous situation.
 - Represents or evokes by means of imperceptible devices particular facts or situation that cannot exist in reality.
 - Prompts the driver to break the law and infringe the basic rules governing careful driving.
3. To ask manufacturers and importers of motor vehicles and equipment, producers of motor fuels and oils and those responsible for the media to replace the detrimental content of advertising messages by:
- Objective information which helps the safety-conscious purchaser to make a rational choice.
 - Neutral texts and images associated with the concept of safety (for example, interpret the road-holding qualities of a vehicle as a safety factor).
 - Information about the vehicle's reliability, fuel consumption and comfort, and about the need to protect the environment.
 - Messages that help to develop a sense of responsibility, tolerance, and compliance with regulations.
 - Messages that show the convivial aspects of driving and the pleasure of a good rapport with the environment.
 - Information that convinces the purchaser that the image created by his choice is that of a well-informed person who is aware of his responsibilities and who is both helping to make the roads safer and protecting the environment.
4. In the light of the circumstances specific to each country, to promote advertising that is conducive to safety on the roads.
5. To consider the possibility of creating an international prize to be awarded for the car advertising campaign that shows the most concern about road safety.

INSTRUCTS the Committee of Deputies to monitor the implementation of the measures recommended in this Resolution.

REPORT ON ADVERTISING THAT CONFLICTS WITH ROAD SAFETY AIMS

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1. Introduction

In 1987, the Road Safety Committee decided to include in its pluriannual programme of work the question of “advertising that conflicts with the aims of road safety” and it requested the French Delegation to draw up a preliminary note on this matter. The first report was to be discussed at the Committee’s session on 8 and 9 March 1988 and set out the initial considerations based on the information that the member countries of the Conference had provided at that time. This version has now been prepared in the light of the comments subsequently made by the delegations of those countries.

2. Scope of the report

It should first be pointed out that the question of advertising that conflicts with the aims of road safety has not previously been the subject of any scientific research at international level carried out on comparative bases and with advertising material produced over a sufficiently long period of time for any changes in the content to be noted. At most, a certain amount of research is available for individual countries, more particularly Germany, Sweden, Switzerland and France. What this amounts to, is that as matters now stand in the majority of countries, any measures that might have been taken to restrict the more widespread development of advertising that conflicts with the aims of road safety, have been mainly initiated on the basis of factual data and raw material without first carrying out the precise studies of the content and surveys of public images and impact.

Secondly, it is advisable to state precisely what the subject of this report is by identifying the types of advertising message that are incompatible with road safety requirements. “Advertising that conflicts with the aims of road safety” is here taken to mean any message:

- Produced by manufacturers (or by advertising agencies on behalf of manufacturers) to promote a product, but not articles written on a given product in the press or other publications.
- Concerning products in direct or indirect relation to cars, motor vehicle traffic and road safety.
- Designed to extol the “a priori” qualities of a product, laying particular stress on characteristics that conflict with the requirements of safety on the roads, i.e. prudent thoughtful driving with care for the safety of others and compliance with safety regulations.

The potential field of enquiry is therefore extremely wide and, unfortunately, little explored up to the present. This study will deliberately be confined to the advertising of motor manufacturers and, incidentally, motorcycle manufacturers.

Lastly, it should be noted that this report relates primarily to advertising slogans of a written (posters and advertising through the press) or spoken nature (radio or television) and government measures taken to restrict or ban such advertising, as studied by the countries on which sufficient literature was available, namely France, Germany, Luxembourg, Sweden, Switzerland and the United Kingdom and, to a lesser extent, Belgium and Spain.

There is a considerable risk of seeing an emphasis on vehicle performance in the advertising of manufacturers to promote cars and motorcycles, more particularly on the top speed, acceleration capability and the sensations that these performances may prompt in the way the use of the vehicle is perceived and, accordingly, in the way the roads are used.

It might seem reasonable to assume that other types of performance could be described and promoted in such advertising, especially the performance in connection with the pleasant and convivial aspects of driving, safety, solidity, long lifespan, comfort, quietness, fuel savings and the need to protect the environment, but on the contrary it is found that:

1. Many if not all of these advertisements either directly or indirectly justify the performances that will here be described as negative.
2. The slogans conflicting with the aims of road safety have been tending to increase over the past few years.
3. Such advertisements probably have a negative effect on behaviour which should be analysed with precision.
4. The response of the public authorities and/or professional bodies to this irregularity would seem to be particularly timid.
5. Very little has been done along the opposite lines to encourage advertising to promote road safety.
6. Concerted international action is called for in this connection to back up the measures taken at national level and so have real and lasting effects.

3. Some specific cases

There are a number of examples of advertising deliberately seeking to highlight certain performances that clearly conflict with the aims of road safety, more particularly the top speed which, in the case of existing luxury models and “over-powered” cars of the “turbo” type, reach or even easily exceed 200 km/h.

In France when the 1984 International Motor Show was being held in Paris, a French manufacturer had put up thousands of posters all over France to promote a new turbo model solely with the slogan “200 km/h”. A survey carried out in recent years in the United Kingdom also provided a particularly eloquent anthology concerning domestic or imported models: a Japanese manufacturer, for example, vaunted “a decidedly illegal top speed”, while an Italian manufacturer referred to a new model as a vehicle “complete with everything you need to enjoy driving at 112 mph”, and a German manufacturer promised that another model “will whisk you from zero to 60 in 9.2 seconds, then on to a top speed of 115 mph”; a French manufacturer refers to its new model capable of doing 200 km/h as “the 125 mph turbo”, while a United Kingdom manufacturer claims for one of its new products that “it’ll hit

60 mph in 6.8 seconds flat and show its extra muscle in a eager dash to 100 mph in 18.2 seconds on its way to an effortless 135 mph top speed”.

It should be noted however that the most common advertising at present is more discreet, either because manufacturers are keeping within certain bounds dictated by a fundamental respect for the regulations or because particular agreements obliged them to adopt a minimum of self-discipline. Their arguments then become more subtle. There is no longer a direct reference to speed but to lightning acceleration whereby the other car can be overtaken as if it were a toy, irrespective of whether or not this capability is dressed in the false trappings of safety (such acceleration enabling fast overtaking is therefore a potential guarantee of safety). More generally, preference is made to driving the cars as to objects that provide pleasure, enjoyment, and freedom. For example, a German manufacturer described one of its recent models as simply “a pure joy” (“pure Freude”). Some go as far as calling on the impulse to dominate: in its advertising in Germany a French manufacturer describes its product as the world’s race and rally champion (“zum Weltmeister”) and a Japanese manufacturer speaks of “powerplay”. The fact is that one is a champion or one is powerful only in relation to others whom one succeeds in (or risks?) crushing (symbolically). The “claws” that a French manufacturer shows evoke the image of pursuit, prey and threat. And what is to be made of the word “wild” (“sauvage”) when a French manufacturer speaks of his famous “wild chevrons” (“chevrons sauvages”), a term that is certainly (consciously?) qualified by the play on words between “chevrons” (the manufacturer’s emblem) and “chevaux” by showing on the poster the horses of Camargue galloping in complete freedom? This impulse towards freedom (or liberation, but liberation from what and which prison?), impetuosity, superiority, reference to wild beasts (a special study should be carried out in this connection), sexuality (always experienced in the submission/domination relationship) and conquest of the other is fundamentally in contradiction with the real social and cultural values inherent in road safety requirements, values that may be listed as moderation, courtesy, solidarity, respect for others, integrity, and so on. What such advertising negates is the right of the other – which is equal by definition and not less valid – to live in peace on the road, because driving is not an individual matter but a social act (we do not take the road, we use it or share it). This social act cannot be seen as a trial of strength (even if the relationship is – to put it more subtly? – expressed through money, the means of oppression indeed: an advertisement in the United Kingdom by a Swedish manufacturer points out that you pay for the right to drive fast: “the more money you pay, the faster your money goes”, as if one could buy the right to contravene the social norm, in other words pay for the right to kill). The Advertising Standards Authority in the United Kingdom has remarked how frequently advertising associates cars with revolvers or bullets.

As pointed out by a remarkable German study by I. Pfafferott (“Fahrzeugwerbung und Verkehrssicherheit”, Bundesanstalt für Strassenwesen: 1984), an analysis of the content of recent advertising by manufacturers and importers in Germany would seem to indicate that this trend has become more marked over the past few years for both cars and motorcycles, particularly the latter. This also applies in France, especially since the arrival on the market of small over-powered cars of the turbo type some ten years ago. After some moderation during the 1970s, it would seem that car advertising in the decade now drawing to a close has seen a certain return to slogans relating to speed and, more generally, the performances of cars and motorcycles. There are a number of possible explanations for this:

1. Following the 1970-1980 period involving large-scale road safety policies based on regulations, monitoring and penalties, assisted by the oil crises and energy conservations policies, the road user has been going through a period of relapse and again responding to the sirens’ song extolling speed at the precise moment that road safety policies seem to be seeking a fresh approach.

2. The steep fall in the price of the barrel of oil convinced the public that the energy conservation policy is now out of date and – in accordance with the principle of the pendulum swinging to the other extreme – that more petrol can therefore be consumed, which means driving faster and more aggressively, especially since some people had a feeling of frustration.
3. Car races and rallies are now extremely popular (Paris-Dakar, Monte-Carlo rally, the Le Mans 24 hours race, etc.) and the main cultural models offered here for consumption by the public are clearly not those promoting safety and moderation but rather performance and driving as a sport, even if practised by specialists in a secluded world.
4. The clear-cut return to more hedonistic and individualistic values emphasizes the seductive powers of the slogans concerning pleasure, enjoyment, and the egoism of fast “sporting” driving.

Given this situation, there are of course attempts at justification by manufacturers and regulation on the part of the public authorities or professional bodies, or even both at the same time.

The manufacturers and advertising agencies and the graphic artists working for them maintain that what is regarded as negative in terms of safety in some of their advertisements is:

1. Dictated by trends in public taste: but here we have the image of the car which must be changed in the public’s eye.
2. Necessary in a market without frontiers in order to cope with the advertising of competitors on equal terms. However, a contrary view is illustrated by a company like Volvo which has systematically based its advertising campaigns for some years on robustness, quality and safety.
3. Not their problem: it is for the manufacturers to make their cars, even fast ones, for the public authorities to “make” road safety, and for road users to learn to drive well: is the sale of knives prohibited because they may cut fingers? The response here is that there are probably limits that must not be exceeded and, in any event, there is a profound contradiction, which is not really logically acceptable between an official road safety policy and a marketing strategy based on values that are far removed from those advocated by that policy.

4. The public authorities’ response

The response by the public authorities has been somewhat late, timid and of doubtful effectiveness. Other than in the case of Germany, where an initial attempt to restrict questionable advertising was made in 1972 on the basis of a self-disciplining agreement by the profession, it was not before the 1980s that concern began to increase and some reaction became evident.

In 1984 the German authorities updated and strengthened the agreement concluded with manufacturers in 1972. It was moreover a gentlemen’s agreement entered into freely at the request of the public authorities and involving no penalties. It may be considered that this 1984 agreement in fact helped to reduce somewhat the amount and aggressiveness of some questionable advertising (see C. Vierboom and W. Wagner, “Psychologisches Forschungsinstitut”, Cologne, 1987). This was also the case for motorcycles where the absurd race for power and speed over the past ten years resulted in 1984 in the adoption by a German manufacturer and importers (1 American and 4 Japanese) of an agreement on restraint (“Vereinbarung über die Gestaltung der Motorradwerbung”).

A second example is provided in France where the increase in aggressive advertising resulted in 1984 in an agreement to restrict such advertising which was signed by the road safety authorities and the motor manufacturers association (but not the importers who account for more than a third of the registrations in France). The implementation of this agreement by French manufacturers was made subject to the Government taking steps to ensure that the same principles applied to imported vehicles. Unfortunately, where both French and foreign vehicles were concerned, neither the spirit nor the letter of this agreement have really been respected, since some advertising is seen by the public authorities as in defiance of the commitments entered into, while the Government has no doubt not given itself the means to enforce compliance with the text signed.

The Advertising Standards Authority in the United Kingdom has been receiving many complaints for some years and has gradually established precedents whereby manufacturers have the right to boast of the speed and performance of their vehicles but not to the extent that this might seem to prompt drivers to break the law. For example, there would be criticism of a slogan such as: “It’s easy to forget speed limits ... Breaking the law at 100 mph feels like cruising at 50 mph”. The ASA acts solely by addressing warnings to manufacturers and importers who are asked to revise their advertising. It cannot be said just how effective this approach is, other than to point out that a number of manufacturers have complied with the demands of the ASA which bases its action on the Advertising Standards whereby “advertisements should neither condone nor incite to violence or anti-social behaviour”, “show or advocate dangerous behaviour or unsafe practice” and “contain nothing which is likely to bring the law into disrepute”. It should also be noted that the Independent Broadcasting Authority reviews all advertising before it is screened in order to ensure that it is in conformity with these standards and that, where the other media are concerned, the ASA ensures compliance of motor vehicle advertising with the British Code of Advertising Practice.

Mention should also be made of the steps recently taken in Luxembourg where an agreement was signed in 1986 between the Minister of Transport and FEGARLUX (the garage owners association in Luxembourg), which is similar to the agreement concluded in France but also specifies that the Government and FEGARLUX have agreed to make a regular assessment of its application.

In the Netherlands, the Government and representatives of the car industry have just begun discussions on the preparation of a code of good practice.

In Belgium, manufacturers and importers have concluded an agreement within their trade association with a view to avoiding advertising that conflicts with the aims of road safety.

In the other countries there seem to be no such agreements, either self-disciplinary (among manufacturers) or jointly supervised (manufacturers and public authorities).

Danish legislation has a number of provisions on advertising which concern road safety. Any slogan broadcast by radio or television must be compatible with ensuring safety on the roads and must not encourage dangerous or irresponsible behaviour. A fine may be imposed for any infringement of these rules. The Danish law on marketing lays down general criteria for advertising which also cover newspaper advertising.

In 1986, Spain included an article in its highway code with a view to ensuring that information supplied to users of motor vehicles would not prompt them to drive too fast or recklessly or be conducive to dangerous or any other form of behaviour that would infringe the code. In addition, the 1988 general law on advertising specifies that advertising liable to give rise to behaviour which might compromise personal safety may be subject to special rules or prior authorisation by the authorities.

In Portugal, advertising that conflicts with the aims of road safety is covered by the general code of advertising practice.

In Switzerland, as a result of a 1985 study, the BPA (Swiss Accident Prevention Bureau) recommends that importers, advertisers and the media should replace the detrimental content of advertising by messages that promote safety on the roads.

To sum up, it is interesting to note that the formal agreements now existing:

1. Are by and large not very effectively applied by the professional bodies concerned.
2. Do not very often give rise to energetic action by the public authorities in cases where they are not complied with.
3. Have not really prevented the maintenance, or even the exacerbation, of certain questionable slogans.

One of the major problems to be resolved is no doubt how to raise this matter to an international level, negotiate an agreement on restraint in the European context and subsequently require American and Japanese manufacturers to comply with it, since the development of cable networks and private television services singularly limits the effectiveness of government intervention. However, the position adopted by the Ministers of Transport on 12 November 1985 with respect to the European Road Safety Year was to invite the Commission to establish the necessary contacts with the manufacturers and importers of motor vehicles and motor-powered two-wheelers in order to get them to abandon any form of advertising that conflicted with the aims of road safety and also to invite the member States to lend their support to the Commission for the purpose of such contacts.

5. Conclusions

It may be objected that there is no proof that this type of advertising has a negative effect on road safety, even though such advertisements might appear frequently (a Swedish study in 1987 -“Argument i Bilannonser”, by S. Dahlstedt of the “Firma Humanteknologi” of Sturefors - points out that 49.4% of the advertisements provide justification for the performances, and this is the third commercial argument put forward.) It is true that the above-mentioned study by the Swiss Accident Prevention Bureau suggests that these advertisements primarily seem to have an effect on young male drivers who already like to drive fast, so they tend to reinforce attitudes already acquired. However that may be, the means are there to promote cultural and social values entirely in conflict with the requirements of road safety.

It would be wrong to conclude this paper without pointing out that there are fortunately a number of manufacturers who have tried and are still trying to create an image based on concepts of safety and reliability. Nevertheless, the problem of questionable advertising remains and seems to be getting worse, thus calling for an appropriate response.

However, it would be interesting to follow the example of some countries and not restrict the action of the public authorities to the prevention of certain practices but conversely, to make such action more positive by encouraging advertising that promotes road safety. This approach has been adopted in Luxembourg where an annual prize is awarded for the best advertisement concerning road safety, and also in Switzerland where there has been a competition and a prize to promote such advertising since 1986.