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The EVU and its country groups in change, training and professional profile

1. The association EVU as an alliance of accident investigators throughout Europe

The EVU was founded in 1991 by accident analyst Dr. Burg for experts in the field of accident analysis and accident research. The first conference took place in Vienna in 1992. The association was managed directly from its headquarters in Wiesbaden until the year 2000. Due to the constantly growing number of members, the association was restructured in the year 2000. Now there is an umbrella association of the EVU with headquarters in Hamburg (EVU for short) and the country groups, e.g. country group Hungary (EVU Hungary for short). Each European country has the opportunity to establish its own country group. Many EU countries and also Switzerland have already made use of this opportunity. At the moment, the whole EVU association has approximately 500 members.

According to its articles, the EVU serves the purpose of promoting improvement of the basis of accident research and methodology of accident analysis and to make a contribution to the increase in legal security in the process. The EVU improves traffic safety within the realms of its possibilities by publishing information on the unfolding of accidents and by deriving concepts for the improvement of active and passive safety from the knowledge gained from the unfolding of actual accidents.

The EVU carries out its own research or takes part in suitable projects. The results are primarily made available to the members. However, such information is also made open to the general public in the form of publications and congresses.

Members appointed by the EVU contribute to national and international specialist committees and introduce the expertise of the association in this way. The EVU makes every effort to support international cooperation for the further development of science and research in the field of traffic safety and accident research. The association is also committed to the harmonisation of training and appointment of experts.



The EVU keeps a list of members which can be accessed by anyone in the internet at www.EVUonline.org. The list helps in the search for a suitable accident reconstructionist at a specific accident locus. The EVU publishes its own technical documents and examines works that have been completed by the country groups or the specialist boards. This information is available to all members free of charge via the protected area of www.EVUonline.org. The association works together with the authorising and certifying bodies at a national level and promotes the European standardisation of the professional profile. The country groups attend to the national interests of the profession and are represented on the corresponding boards.

The EVU with its headquarters in Hamburg as an umbrella association organises an ordinary members' meeting every year. This always takes place in the framework of the EVU annual conference in alternate countries. Furthermore, it convenes specialist committees and attends to their work and critically examines and possibly further recommends events for education and training. The umbrella association is also responsible for publicity work for the EVU and for the authorisation of the country groups' rules.



Fig. Annual Conference of the EVU

Natural and legal persons can become members of the EVU. If a country group has already been formed, a person may only be accepted into the EVU via the country group. Direct membership via the EVU in Hamburg can only be obtained in countries where a country group has not yet been formed.

The organs of the EVU are the board of directors, the presidential board and the members' assembly. The board of directors comprises the chairman, his deputy, the treasurer and the secretary on the one hand (select board) and the chairmen of the



country groups on the other hand, who form the extended board of directors together with the members of the select board.

The presidential board, which is made up of particularly prominent personalities from academe, politics, administration and industry, comprises at least three and generally not more than eleven persons. The election is carried out by the members' assembly on the proposal of the extended board. The term of office is five years long and does not end until a new election takes effect. Re-election and co-option are permitted at all times. The presidential board has the task of advising the board of directors on important association matters and with regard to maintaining the essential goals of the EVU. The presidential board elects a president and several vice-presidents from its number. The president or in his stead one of the vice-presidents chairs the presidential board.

2. Definition of Professional Profiles

A new professional branch has formed over the last decades in German-speaking countries. This concerns accident analysts (accident reconstructionists) for road traffic accidents who practice forensics. The accident reconstructionist is commissioned by courts of law or by disputing parties, e.g. insurance companies to reconstruct the unfolding of an accident on the basis of objective evidence. This branch of the profession also exists in other European countries. However, this is generally only rarely requested by courts.

This branch of the profession has had parallel development in the USA and GB. Contrary to other European countries, it is not commissioned there by the court, but by the disputing parties. Each party has its own expert and the various experts then exchange the frequent differences in their points of view before the court.

The accident reconstructionist always has academic training as an engineer or physicist.

Accident researchers are less concerned with the reconstruction of traffic accidents than with the actual unfolding of an accident. They are mainly employed at research institutions such as development departments of the automobile industry or at universities. Their goal is to improve the passive or active safety of vehicles. It is important for their work that they can refer to the experience of accident investigators. On the other hand, the accident investigators, who are more active in a practical capacity profit from the theoretical research results of the accident researcher.

Other experts who are also active in this field perform other tasks. A very large group is formed by specialists in vehicle damage and evaluation. This concerns experts who are occupied with the level of damage. Furthermore, there is also the professional group of specialists for vehicle examinations. They are in the most part employed in the field of technical vehicle monitoring. As each of these fields requires a particular specialisation, the professional profiles should be more clearly distinguished from each other in future. This is also an essential goal of the EVU.

3. EVU Project QUERY:



3.1. Definition

The EVU has set itself a target for the next two years to establish an accident reconstructionist network and to investigate how the professional profile of specialists in accident reconstruction is integrated into the different legal systems. This project has the title of:

**Developing Guidelines for a “Best Practices” Qualification of Accident Analysts,
Q U E R Y** for short.

3.2 Introduction

Approximately 40,000 people are killed every year on the roads of the European Union and 1.5 million people are injured as a consequence of road traffic accidents. After a traffic accident, the question arises as to the cause of the accident and how it could have been avoided. In most cases, the answer to this can only be supplied by an accordingly qualified accident investigator, who reconstructs the unfolding of the accident by means of the secured evidence material. Random sample surveys have shown that the professional profile of this expert is defined very differently in various member and accession states of the EU. As in other professional areas, it would be advantageous if this field of profession could be harmonised throughout Europe. This is the main goal of the EVU at the moment.

The knowledge of the exact unfolding of an accident is an irrevocable prerequisite for the reactions to an accident which are listed in the following passages:

3.1.1. Prevention

Criminal investigation in traffic cases presupposes that the unfolding of an accident is reconstructed and possible fault of the participants is proven. A preventative effect is achieved by the punishment of culpable action.

3.1.2. Just distribution of civil law costs

In most European legal systems, the insurers of the accident causer pays the material costs. If unavoidability is proven for a participant, his insurance is not liable. It is necessary to determine the level of fault of the various participants for the just distribution of costs. In order to achieve this, the accident must be systematically reconstructed.

3.1.3. Compensation

Generally, the party that caused the accident also carries blame. In these cases, the victim of a traffic accident is also entitled to immaterial damages (“compensation”). The level of blame can be determined by an accident reconstruction.

3.1.4. Improvement of vehicle safety on the road

The knowledge of the unfolding of an accident gained in the framework of a reconstruction can also be transformed into practical recommendations of how future accidents can be avoided (active safety) or at least how the consequences of an accident can be moderated (passive safety). The specialist in accident reconstruction can convert the experience gained from actual accidents and from accident experiments into



technical recommendations which help to enable the improvement of accident protection.

3.3 Project Goals

Highly qualified specialists who can reconstruct the circumstances of an accident by means of the accident evidence are employed in all of the European states. Previously, all regulations on the education and training of accident investigators, on admittance to the courts and other institutions and on the position of the expert in court have been different in the individual countries. There have previously been no inquiries into the size of the differences and into which common areas have developed.

Competent contact persons are initially being sought in all EU in order to achieve these goals as set by the QUERY. This phase will be completed by November 2004. At least one suitable technician and one lawyer should be heard in each country. This allows the position of the relevant expert in each particular legal system to be determined and a rough outline of the professional profile to be drawn. It may prove difficult to find a suitable expert in some countries who reflects the opinion of as many of his professional colleagues as possible. Many opinions must be obtained in the country during the search for this person.

After contact partners have been found in all countries, a first workshop will be held in Budapest on 4.11.2004. Along with presentations of the professional profile in some of the countries, all important information will be gathered at this workshop, in order to design a suitable standardised questionnaire and to formulate additional interview questions.

After the workshop, the actual data collection will be carried out either by personal conversations or electronically. The evaluation of the data will subsequently be set down in an interim report. After this data has been evaluated, the contact persons from the individual countries will be invited to a second workshop in 2005. The results will be discussed at this workshop and practical framework conditions and contents will be taken from this, in order to unify the professional profile of the expert at a European level.

The QUERY project will be subsidised with 50% of the costs by the DG-Tren of the European Union (Director General of Energy and Transport). With this subsidy and sponsorship from various organisations including the DVR, a budget of 120,000 was able to be raised for the financing.

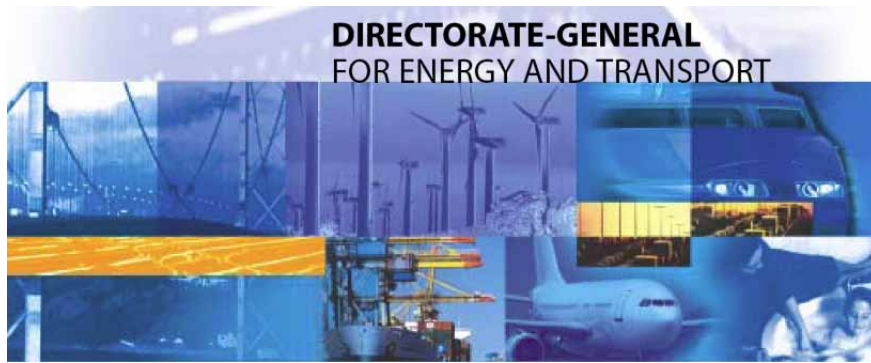


Fig: Support from Brussels



3.4 Expected Results of QUERY

For the first time, an overview will be produced with this data and information of how the expert is incorporated into the various legal systems, what status he has and what professional qualifications he possesses in the individual countries. The professional profile of the European specialist in accident reconstruction can be set down in writing from these results:

1. What training must he have?
2. What are the minimum competences he must have, and how can they be examined for an admission (certification)?
3. How can a further quality control be carried out after admission?
4. How are accident investigators remunerated?

All results should be published in a multilingual (German, English, French or Spanish) book or brochure. The most important data will also be published in specialist periodicals (German-speaking countries: Verkehrsunfall und Fahrzeugtechnik, England: ITAI, USA: Accident Reconstruction Journal, etc.) and also in the internet (EVUonline.org).

3.5 European Dimension of the Research

A reliable and accurate reconstruction of traffic accidents is only possible if the accident reconstructionist possesses as great as possible specialist knowledge. The recommendations acquired by us at a European level or country level can be converted into either directives or laws. An increasing number of accidents involving citizens of other member states can be expected as a result of the increasing internationalisation of traffic. It is reassuring for both the "paying insurance" and for the citizen to know that the accident is being analysed by a qualified accident reconstructionist who fulfils criteria that are valid throughout Europe. This also increases legal security in Europe. This does not only apply to traffic accidents, but also to the monitoring of traffic offences. Dubious measuring methods are still used in some countries at the moment, which could lead to incorrect measurements. Specialists in accident reconstruction are frequently called upon by the courts to check these measurements.

The information gained in the framework of the QUERY project are to be linked with further EU projects that are concerned with data collection and research into the causes of accidents. The participation of representatives from other projects in the workshops of this proposed project is therefore provided for.

The accident investigators' interest in the work of their professional colleagues in the EU states and accession countries is great. This is shown among other things by the annual conferences that are held by us. The foreign departments of insurance companies attach great importance to accidents in other countries being dealt with correctly and comprehensibly. They are therefore very interested in publications on this subject.

Lawyers who deal with damages abroad need qualified experts on location. These groups can be reached and informed via specialist publications. If a unified professional profile of the specialist in accident reconstruction is successfully set down in writing and a European certification is achieved, then a register of experts for the whole of the EU can be published in the internet.



4. Further Training of Experts via the Knowledge Base EVUonline.org

It has already been considered how information can be exchanged between the individual countries since the foundation of the EVU. The concept of a European members' newspaper can unfortunately not be realised due to costs. However, elegant and efficient tools to install a European knowledge database for the members are already available in the form of the new media of the internet and e-mail. This project has been successfully completed by the EVU in the meantime. The dynamically constructed database has been available in the internet since the beginning of the year 2004. It covers the following areas:

- Comprehensive data collections with specialist articles, books, worksheets, programmes and Excel sheets.
- Experiment database with differentiated research possibilities
- Calendar of events for specialist conferences and seminars
- Address lists of experts and organisations (public)
- Collection of subject-related links

All information, including downloadable documents such as PDF, Excel, Word and photos are stored in an Access database. Comprehensive search and research possibilities with search templates and filters have been set up for the user. These make it possible to find the desired information via keywords, authors or other search criteria. The Knowledge Base is fed with data by the members themselves. Texts, photographs and even complete documents can be entered into an easy-to-operate template structure and be put onto the server with a mouse click without the need for any programming skills. Editorial rights are however required for this, which only a few of the members possess. This ensures that no unchecked information is published there. Every member can however send material to one of the editors, who will then publish it immediately.



Fig: Article to Download at www.EVUonline.org