



Road safety in Bangladesh

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DECLARATION

I do hereby declare that the research titled “Road safety in Bangladesh” submitted to the Department of Law, Daffodil International University, as a candidate for a degree of LL.B., is an original research work done by me. No part of the research monograph, in any form, has been submitted to any other university or institution for any degree or diploma, or has been published in the form of a book or an article anywhere.

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Abstract

Being a riverine country, the road transportation system is vitally important to the economic and social welfare of Bangladesh. Therefore, it must be so maintained and continually improved with due consideration for safety, minimizing accident hazards and risks. However, terrible losses of lives and injuries with consequent property damages resulting from road traffic accidents have now emerged as serious issues in Bangladesh affecting the community personally, socially and economically. The road safety situation is very severe by international standard. An overview of the prevailing accident problem characteristics and some road safety priorities that should be addressed with due urgency are briefly discussed in the paper. Some recent advances in promoting road safety activities including holding of international conference, national workshops and the observance of the UN first global road safety week are also discussed. The way forward to activate and strengthen efforts towards greater safety is highlighted as well.

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Chapter 1:

Proposal

Introduction:

Safety has been a simple concept in Bangladesh .There have many issues which related to concern issues ,road safety is one of the major concern in our country .One of the main reasons of road accident is unskilled drivers .Violation of traffic rules is a major reason by which road accident is occurred .day by day people become aware . Road transportation is the important part in Bangladesh .more than 75 % people travel over the highway .Not only people but also goods move one place to another place over the Road .Road transport play an important role in our economic and social welfare .For this reason must be maintained and continually improved with due consideration for safety .we should reduce accident and risk .Every year thousand of people are killed and injured on our road .The government of Bangladesh well known about the growing road safety problems and is committed to fight against such problems on our road .

As indicated by the Bangladesh JatrikalyaanSamiti's database, 7,397 individuals were executed in 4,979 street mishaps with 16,193 setbacks just in 2017. The association asserts that the budgetary misfortune because of street mishaps will add up to 1.5 to 2.0 percent of our GDP. The ongoing disastrous mishap including undergrad Rajib presents the heartbroken condition of street security in the nation.¹

Significant of The Study:

The study would be beneficial for the future when the NHA construct and traffic control department conduct the test for issuance of the driving license so that they can make their enhance system of construction or test procedure .

Object of the study :

General objective :

¹<http://today.thefinancialexpress.com.bd/print/road-safety-in-bangladesh-1524230121>

General objective of this research are to identify the ,why road safety is a major concern and what are the main cause of road accident .To reveal the real picture using TQM tools and techniques and to find out the ways fighting against the problems .finally this research help to find out ,how to solve the problems .

Specific Objectives :

Here the specific objective is to explore on the social and economic issue “Road accident

To find out road safety is a major concern

To find out the main cause of road accident

To find out the status of the drivers

To find out the gaps between laws and policy .

Definition of major concept :

Road Accident

A street accident alludes to any mishap including somewhere around one street vehicle, happening on a street open to open course, and in which no less than one individual is harmed or murdered. Purposeful acts (murder, suicide) and catastrophic events are barre "Killed people" are mishap unfortunate casualties who kick the bucket promptly or inside thirty days following the mishap. Before 1 January 2005, the day and age considered was just six days. "Harmed people" are mishap unfortunate casualties having endured injury requiring restorative treatment (with or without hospitalization)

Awareness factor :

Lack of awareness of passengers.

Lack of awareness of drivers.

Tendency not follow traffic Rules.

Causes of accident.

Ignorance of the drivers

Insufficient vehicle

Does not follow the traffic rules

Corrupted government brunch

Methodology :

The research is prepared based upon the information collected from several person and organization, annual reports , the researchers own judgment also from the internet .some interview are taken .The findings are structured upon information provide by these and some secondary sources .

As the Research Paper is that will be making by the **Qualitative Research** method. It is consist or made by analysis of some abstract idea, doctrine or theory.

In this study, it had been mostly relied on the following **secondary** methodologies in doing my research monograph; these are;

Secondary documents like books, journal and articles (mentioned in Bibliography).Shared the observations, comments and recommendations of various authors

Research Question :

Why road safety a major concern?

What are the main cause of road accident?

What are the status of the drivers?

What are the gaps between laws and reality

Chapter :2

Road safety leading question in our society.

1.Introduction:

In our society road safety is a big problem .There have many government branches are established but they are already field to reduce road accident .Because of there have some corrupted officer who are related to the issue .By this corrupted person ,vehicle owner certified his or her vehicle which is unfit .Many drivers drives vehicle but they have no driving licence and most of driver uneducated .They have no idea about traffic rules and regulation .On the other hand people does not aware about safety .Most of the time people does not use foot over bridge .In our country amount of vehicle inadequate for people by this reasons accident gradually increasing day by day .So at this time road accident is a leading question in our country . : Introduction.

1.2 It is a major problem in our society.

Here has been a major ascent in road accident, essentially expressway accident in Bangladesh in the course of recent years. As indicated by an examination led by the Accident Research Center (ARC) of BUET road accident guarantee by and large 12,000 lives every year and lead to around 35,000 wounds. As per World Bank insights, yearly casualty rate from street mishaps is observed to be 85.6 fatalities per 10,000 vehicles. Consequently, the streets in Bangladesh have turned out to be lethal!

Be that as it may, these measurements, numerically stunning as they might be, neglect to mirror the social catastrophe identified with every life lost to street mishaps. One mishap that remaining parts once again in my memory is the passing of 44 school kids last July, after the truck they were going in slide and fell into a lake. 44 youthful dreams and expectations lost because of rash driving. Just multi month after this catastrophe, Bangladesh lost two splendid residents, movie producer Tareq Masud and writer Mishuk Munier, to one more street mishap in August. We, the general population were stunned, enraged and many drove dissents to the avenues requesting quick activity to bring equity for those slaughtered and to guarantee street security. Be that as it may, as from the lines cited at the outset from an everyday paper, one can see that the latest casualty figures express no advancement!

A high development in urbanization and mechanization can be recognized as one of the variables prompting the higher number of street mishaps. Ongoing examinations guarantee that the yearly urban development rate in Bangladesh remained at 4% in 2010, while the present development in engine vehicles remains at 8%. Therefore, the street frameworks are encountering more noteworthy blockage, physical decay and security issues. As indicated by a WB report, just 40% of the primary streets (National Highways and the Zila Roads) are in great state.

The activity police office has a urgent task to carry out in recognizing and considering responsible neglectful driving, speeding and flimsy or over-burden vehicles. The support, fix and extension of streets combined with setting up dividers on national roadways, alerted signals for unsafe areas, dispersing data on driving and street wellbeing to masses through media and commendable discipline for abusing activity laws are a portion of the fundamental zones that should be dealt with thoroughly by the legislature.²

1.3: Social and economic matter influenced committed to road accident

Minimum 4000 people died on Bangladesh road every year .The amount of the highest rates in the world ,with more than 90 deaths for every 10000 registered motor vehicles. Road accident data around 50 times higher than the rate in most western country .injured value minimum bout 2% losses of GDP in Bangladesh ,That about 1.2bn yearly .This is equal to the total foreign aid received in fiscal year .The damages include direct or indirect expenses ,such a insurance damage ,medical expenses ,property damage ,family income losses etc.

Road safety is vital issue for economic development. Bangladesh University of Engineering and Technology "Road accidents kill and injure people who are young and productive, and therefore have a hidden development impact."³

Case studies in Bangladesh found that poor families were more probable than those happier to lose their head of family and endure quick financial impacts because of street movement wounds. The loss of income, together with therapeutic, burial service and legitimate bills, can ruinously affect a family's accounts, as indicated by the WHO's reality investigate street movement damage avoidance.

Another investigation, completed by the Center for Injury Prevention and Research Bangladesh in 2001, reveals insight into the immense weight auto collisions put on Bangladesh's social insurance framework. It found that one-fifth of damage patients in essential and auxiliary dimension doctor's facilities the nation over had been associated with an auto collision. More than 66% of exploited people were guys matured somewhere in the range of 18 and 45.⁴

² <http://blogs.worldbank.org/endpovertyinsouthasia/road-accidents-bangladesh-alarming-issue>

³ <https://www.theguardian.com/global-development/2012/aug/22/bangladesh-road-accidents-poor-economy>

⁴ <https://www.scribd.com/document/158013129/Economic-Cost-of-Road-Accidents-in-Bangladesh>

1.4: Real Offender :

As indicated by a World Bank investigation, normal movement speed in Dhaka has dropped from 21 kilometer to 7 kilometer for each hour in the course of the most recent 10 years.

Clog in the capital kills about 3.2million working hours consistently.

Road accident in Bangladesh have achieved a pestilence level with more than 1,000 individuals dead in street crashes in the initial three months of this current year.

As indicated by information aggregated unintentionally Research Institute (ARI) of Bangladesh University of Engineering and Technology (BUET), Bangladesh saw a sum of 789 street crashes that left 1,049 individuals dead and 2,015 harmed from January to March in 2018.

Among these incidents, 57 road accident happened in Dhaka, taking 59 lives and harming 115 individuals.

Faulting the untrained drivers alone probably won't be the arrangement, as 60% of the street mishap exploited people were walkers.

Mohammad Salim, a transport partner, told the Dhaka Tribune: "general society transport framework every now and again stops in the city of Dhaka for extensive stretches of time, which is very normal. In any case, the issue winds up intolerable in summer because of the warmth.

"Unfit to languish the mid year warm over an all-encompassing timeframe, the travelers push the drivers to drive quicker. The drivers consent to the travelers' interest more often than not."

Remarking on the disturbing ascent in street mishaps, he stated: "People on foot have a propensity for strolling in the city heedlessly, which thus builds the danger of street mishaps. However, more often than not, the vehicle driver is rebuked for an occurrence."⁵

⁵ <https://www.dhakatribune.com/bangladesh/dhaka/2018/04/23/road-crashes-rising-dhaka/>

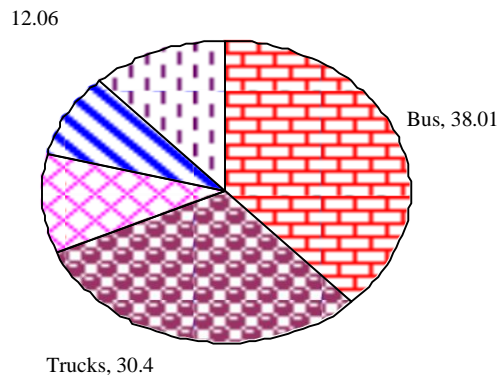
Chapter 3:

Accident data

1.1 Accident Data :

The Road Traffic Accident being kept up and refreshed by ARI based on police MAAP Computer Accident Analysis data. Accident Report Form first presented in 1995 and

through sectoral ventures supported by The World Bank and DFID. The framework was made across the country by 1998. The duty of gathering the information regressed on the police division for whom the undertaking ended up mandatory after the entry of Regulation 254(B). The product bundle MAAP5 for putting away the Accident related information was created by the Transport explore Laboratory of UK.



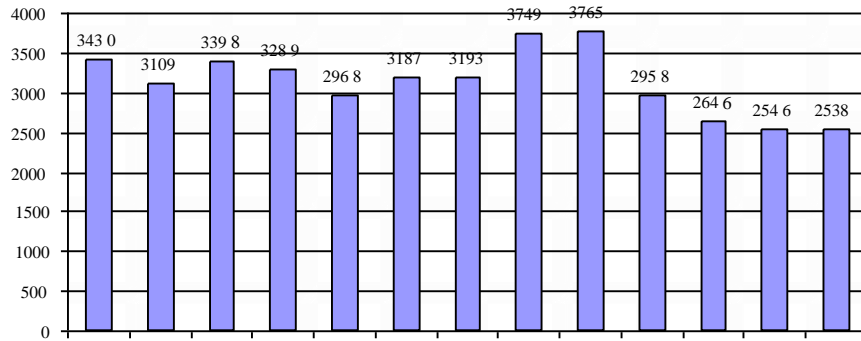
database is BRTA and (Micro-Package) (ARF) was advanced

There are three segments to the account of the accident information: unfortunate casualty character, vehicle specifics and conditions of the mishap. The ARF on which the information is recorded has been made an indispensable piece of the First Information Report (FIR) documented by the police. The modernized information is imparted to the Accident Research Institute (ARI) at BUET.

In spite of the fact that the police have been given the obligation regarding recording the accident information, there has not been any relating exertion to giving the essential limit, learning, gear and ability to research the street mishaps. Commonly, the chronicle staff assesses the vehicle that as well after a significant interim as opposed to the place of event depending more on noise proof as opposed to logical examination. It isn't astounding that mishaps once in a while travel to official courtrooms because of the scarcity of solid proof.⁶

⁶ ASMJ Chowdhury, MsAlam, SK Biswas, RK Saha, AR Mandol, MM Rahman and MA Khair- 'Road Traffic Accidents by 'Nasimon' and 'Karimon' –A Study in Faridpur Medical College Hospital', *Faridpur Medical College Journal*, 2012,7(1): 06-09

in cases of accidents filed by police



1.2 Accident place:

Most of the accident in our country occur on the national and regional highway though numerous accident happened on city streets

Road type	Number
National highways	8870
Regional highways	7276
Zila and Upazila road	21756
Total	37921

Source: Statistical Yearbook, 2018, Bangladesh Bureau of Statistics

Districts with highest number of accident deaths in 2018

District	Number of accident deaths
Comilla	124
Dhaka	105
Tangail	102
Sirajganj	96
Chittagong	95

Source: Statistical Yearbook, 2012, Bangladesh Bureau of Statistics, p 222

1.3 accident amount:



Street auto collisions are tragically developing in Bangladesh and the dominant part of these street crashes are caused by human blunder. It is critical to drive painstakingly and pursue all movement laws despite the fact that law with machine and killing out and about is a major and complex issue these days.

As of late, two students were killed under speeding wheels as the driver of one of the transports furrowed into a group while contending with another transport of a similar organization on Airport Road last Sunday in Dhaka. This opposition kills ordinary around 21 individuals and harms 45 individuals according to as report from the Daily Star February 15, 2017. From various measurements, it is countable as in 2015, 8,642 were executed and 21,855 harmed in 6,581 street crashes. In 2016, 4,312 street crashes left 6,055 dead and 15,918 harmed. The quantity of street crashes in 2016 was 34.48 percent lesser than that of 2015.

However, in 2017, around 7,397 individuals were slaughtered and 16,193 harmed in 4,979 street accident. Contrasted and 2016's insights, street mishaps expanded by 15.5 percent, demise

expanded by 22.2 percent and number of wounds have expanded by around 2 percent a year ago from various investigations are accounted for. Thus, the streets in Bangladesh have⁷

1.4:Accident timing :

2 Timing of Accidents on Highways N1, N2 and N3

3

<i>Time period</i>	<i>%</i>
12 – 2 a.m.	5.7
2 – 4 a.m.	4.8
4 – 6 a.m.	7.5
6 – 8 a.m.	10.4
8 – 10 a.m.	10.2
10 a.m – 12 p.m.	15.5
12 p.m. – 2 p.m.	13.1
2 – 4 p.m.	11.9
4 – 6 p.m.	13.3
6 – 8 p.m.	6.3

8 – 10 p.m.	6.3
10 p.m – 12 a.m	5.2
<i>Full day</i>	<i>100</i> ⁸

⁷ <https://www.daily-sun.com/printversion/details/327901/2018/08/08/Bangladesh:-Road-Traffic-Accidents>

⁸ Source: Md. Mizanur Rahman et al, 2012, 'Comparative accident study on some selected national highways of Bangladesh',

Chapter 4:

Offender and injured people

4.1:Introduction

Around 500 individuals on a normal have been killed in street crashes in the initial three months of this current year.

Bangladesh Road Transport Authority (BRTA), Dhaka Metropolitan Police (DMP), and Dhaka Transport Coordination Authority (DTCA) have pointed the finger at drivers for 90% of the accident, referring to rash driving as the primary reason.

They clarified that drivers contend with one another to get more travelers.

Yet, the drivers put the fault on the travelers, saying that the travelers continually bother them to drive quick, diverting them from concentrating out and about.

Specialists have focused on bringing issues to light among travelers and have debilitated the drivers from having urgent and aggressive demeanors out and about. They additionally encouraged the proprietors to change the mentality of leasing vehicles to drivers on legally binding premise.

As indicated by DMP, more than 1,000 individuals were killed in street crashes in the initial three months of 2018, yet Bangladesh Passengers Welfare Association (BPWA) information, aggregated from national dailies, demonstrate the number is no less than 1,500 individuals.

BPWA information show that 514 individuals were executed and 1,353 were harmed in 499 mishaps in January. The following month, 459 individuals kicked the bucket and 1,521 were harmed in 439 street crashes. In March, 483 individuals were slaughtered and 1,506 were harmed in 491 mishaps.

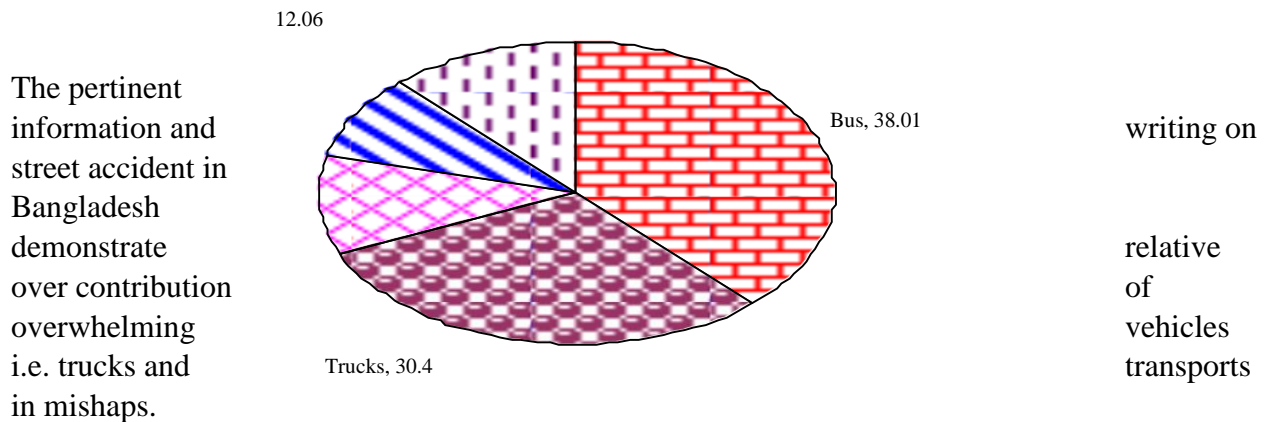
Out of all mishaps crosswise over Bangladesh, 70% of the exploited people are walkers. Among them, 54% of the unfortunate casualties from urban mishaps are people on foot, as indicated by Buet's Accident Research Institute (ARI).

"Police reports just tally crashes between two vehicles while the rest remain nearly overlooked," said Kazi Md Saifun Newaz, a partner educator at ARI.

"Visit auto collisions are occurring a direct result of foolhardy driving, surpassing propensity, absence of utilizing foot over scaffolds by people on foot, absence of activity obligation of travelers,"⁹

⁹ <https://www.dhakatribune.com/bangladesh/2018/04/24/drivers-alone-responsible-road-accidents-bangladesh/>

4.2: Accident offender:



Information from police records for 2012 affirms these discoveries (Figure 4). Of the mishap culprits in 2012, transports are the prevailing vehicle class (38.1%) trailed by trucks (30.4%). Engine cycles represent 12% while autos/jeeps represent 10.5% and three-wheelers a further 9%. The near picture for every one of the years 2000 to 2012 is portrayed in Annex table A2.

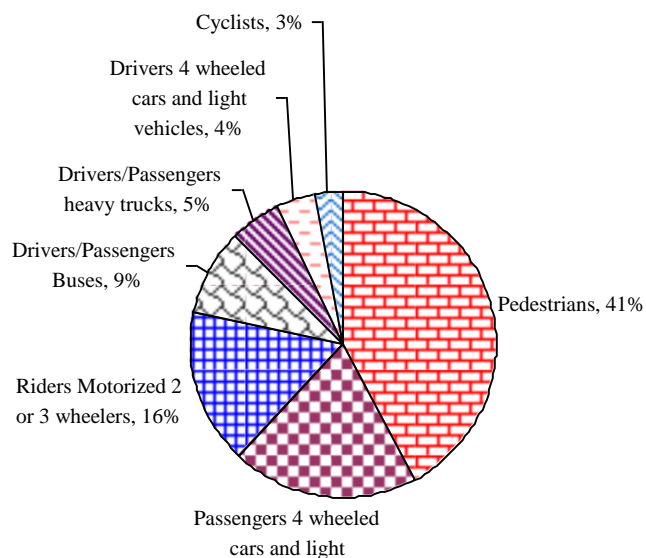
Late research on street accident additionally allude to operational dangers presented by new kinds of minimal effort vehicles known as Nasimons and Karimons plying on local and country streets. These indigenous vehicles are privately amassed ad libbed three wheelers kept running by shallow diesel motor. They have high focal point of gravity and lacking breaking gadgets and are regularly determined by untrained and at times under matured neighborhood youth. They represent a movement chance while utilizing on interstates. A significantly later expansion to such unsafe transports is the battery-driven rickshaw progressively observed on city boulevards. Narrative proof from healing facilities and centers in real urban communities, for example, Dhaka and Chittagong recommend an expanding frequency of non-deadly however regularly serious wounds caused to the travelers of such transports due to the extremely lacking braking offices of such transports.¹⁰

¹⁰ ASMJ Chowdhury, MsAlam, SK Biswas, RK Saha, AR Mandol, MM Rahman and MA Khair- 'Road Traffic Accidents by 'Nasimon' and 'Karimon' –A Study in Faridpur Medical College Hospital', *Faridpur Medical College Journal*, 2012,7(1): 06-09

4.3: Accident injured people:

Who are the victim of street accidents ? Worldwide information show that helpless street clients – people on foot, motorcyclists and cyclists – comprise the greater part of street activity passings. Such rates are relatively higher in low and center salary nations where helpless street clients incorporate nonmotorized transport clients and also clients of mechanized a few wheelers. Bangladesh information affirms such an example.

Anjuman et al recommend that people on foot are the most defenseless street client gather in Bangladesh representing 49% of every detailed casualty in the mishaps information base. The most recent accessible police information of 2009 as cited in the Global Status Report on Road Safety, 2013 affirm these perceptions (Figure 3). Pedestrians record for 41% of street mishap pursued by transport/vehicle travelers (19%) and two/threewheeler travelers (16%).¹¹



Lacking chronicle of mishap information represents a hindrance to facilitate investigation of injured individual attributes. The BUET investigation of 2007 referred to prior offers some extra examination recommending the helplessness of kids to street mishaps. As per this examination, 21% of mishap exploited people amid the investigation time frame 1998-2005 were youngsters. Another small scale examine on an area healing facility (Sylhet) on street demise unfortunate casualties showed that 42% of the 100 street mishap exploited people, 42% were in the age aggregate 20-30 while another 22% were in the age bunch 10-20¹²

¹¹ TaheraAnjuman, ShahnewazHasanat-E-Rabbi, Chowdhury KawsarArefin Siddiqui and Md. MazharulHoque – ‘Road Traffic Accident: A Leading Cause of the Global Burden of Public Health Injuries and Fatalities’ in the *Proceedings of the International Conference on Mechanical Engineering 2007 (ICME2007)* 29-31 December, 2007 Dhaka, Bangladesh.

¹² R.N. Islam, M.A. Monsur& M. Asaduzzman, 2011, ‘An analysis of 100 road traffic accident victims’ in *Dinajpur Medical College Journal*, July 2011: 4 (2): pp 67-70

Chapter 5:

Reasons of the road accident

5.1:Introduction :

As a citizens, we too have a task to carry out in guaranteeing street safety. While going openly transports, travelers should dissent and quit speeding and heedless driving by transport . Owner ought to guarantee that utilized drivers have authentic licenses, are legitimately prepared and drive mindfully. Street security instruction to people on foot, particularly children , inside the networks by network pioneers is additionally a decent method to develop road safety.

An appropriate estimation of the financial expense of lives taken by street accident in Bangladesh would without a doubt mirror the impressive loss of expansion to GDP. As indicated by WHO, the financial expense of street mishaps to creating nations is 2-3% of GDP. The idea enters my thoughts, of those 44 and numerous other youngsters executed in street mishaps throughout the years, what number of specialists, engineers, researchers, creators and other future potential has the country lost?

For a creating nation like Bangladesh, enabling its native to die to street mishaps isn't just lamentable yet inadmissible!¹³

5.2: Inadequate vehicles:

Bangladesh is a over populated country around 16cr people live in this country. But vehicles does not adequate for people .The economic condition of our country is very poor ,most of the people lead his or her life under proverty. For this reason people travel one place to another place with risk.we see many time particularly Eid or any other festival people travel with risk .They have well known matter of risk but due to inadequate money they travel with risk .our government added new vehicle but it does not adequate for people.

5.3 : Drivers biography:

5.3.1:Age:

The larger part of the studied drivers are in the age section 24-50 with just 5% over the 50+ age run (Table). About half (47%) are inside a more youthful age section of 24-35 while 21% are inside 36-40 years and the staying 28% inside the 41-50 age section.

¹³ <http://blogs.worldbank.org/endpovertyinsouthasia/road-accidents-bangladesh-alarming-issue>

Table
Age composition of drivers

<i>Age in years</i>	<i>%</i>
24-35	47.0
36-40	20.6
41-50	27.5
51 and above	4.9
<i>All</i>	<i>100</i>

5.3.2 :Educational qualification:

As opposed to famous recognition, 80% of the measured drivers had some education . The single highest education noteworthy instruction aggregate among the drivers was optional or proportionate training (48%). Just 8% were completely uneducated.

Table
Educational qualification of drivers

<i>Educational qualification</i>	<i>%</i>
Illiterate	7.8
Can read and write	11.8
Primary	30.4
Secondary/equivalent	48.0
SSC/equivalent	1.0
HSC/equivalent	1.0
<i>All</i>	<i>100</i>

5.3.3:Licensing:

The issue of driver authorizing is an significant substance of the street security plan. The driver study looked for some data relating to the issue. The data, however, is constrained just to the driver’s perspective without the degree for any free check.

By the drivers' possess declaration, about all drivers have a permit. The dominant part of licenses – 75% - is for driving heavy vehicles.

Table 6.8
Type of license held by surveyed drivers

<i>Type of license</i>	<i>%</i>
For light vehicle (Private car/Jeep/Pickup)	6.9
For medium sized vehicle (Microbus/Minibus)	15.7
For heavy duty vehicles (Bus/Truck/Lorry etc.)	74.5
Does not have authorized license	2.9
<i>All</i>	<i>100</i>

80% of the reviewed drivers revealed experiencing compulsory testing before acquiring their permit.

Be that as it may, the staying 20% confessed to getting their licenses with no test. Strangely, about a large portion of the licenses were acquired from BRTA district offices. A famous recognition is that district offices suffer from lax standards. In any case, a majority – 61% -. some form of harassment during the process of getting a license Paying a reward well beyond due expenses gives off an impression of being, by the drivers' declaration, a relatively general issue (92% detailing such an issue)) while the other forms of harassment include time delay (53%) and the need to take the assistance of mediators (39%). A little rate (5%) confronted a further issue in that the mediators conned them with phony licenses.

5.4: Unaware passenger:

Most of the passenger are unaware. They have no idea about drivers .Despite of some times passenger goes to one place to another place with risk Most of the passenger are uneducated like drivers sometimes passengers force to the driver for driving over speeding. Du to passenger driver gather brave and driving over speeding .passenger does not use foot over bridge

5.5:Cell phone use at the time of driving :

The utilization of cell phones while driving has been perceived as a safety danger. The PPRC driver study drew out the ground substances in such manner. Around two-fifths of the surveyed drivers utilize cell phone while driving and they do as such on the grounds that they feel it doesn't interfere with their driving.

Table
Use of mobiles while driving

<i>Issue</i>	<i>Answer</i>	<i>%</i>
Use mobiles while driving	Yes	42.2
	No	57.8
	All	100
Feel mobile-use interferes with driving	Yes	62.8
	No	37.2
	All	100

5.6:Political & economy factors:

Another report in the leading Bangla daily ProthomAlo on 19 February, 2014 highlight the virtual dominance of the transport trade by ruling party MPs and political leaders. These powerful lobbies have ensured that the Strategic Transport Plan (STP) adopted in 2008 has simply remained stalled. Key Ministers who are simultaneously leaders of transport worker unions as well a host of powerful ruling party leaders also own major transport companies. As a result, route franchising remains a highly misgoverned arena with rampant rent-seeking and scant regard for bringing discipline into the sector. An equally pernicious problem is the rampant occupation of foot-paths facilitated by a police-political leader nexus that make a mockery of the road safety agenda.

Many other media reports echo these points. The overall conclusion arising out of these media exposure is that government's effective attention is to protect the interests of transport owners and workers and very little with the interests of passengers

Chapter 6:

Law and institution

61: Introduction:

According to the proposed law, if anyone causes accident by heedless and careless driving, and kills and injures somebody truly, such person would face a maximum sentence of five years in prison or a fine of Tk five lakh or both.

Notwithstanding if it is found that anybody has deliberately killed any one or not turned away an executing in a street accident, the issue would fall under either section 302 (murder) or 304 (culpable homicide) of the Penal Code, as indicated by the clarification of the proposed law by the law minister.

The maximum punishment under section 302 of the Penal Code is capital punishment while it is life imprisonment under section 304.

According to the draft law, drivers must have an instruction not underneath the eighth grade, and no one will be permitted to drive vehicles without a licence.

A person must be no less than 18 to get a driving permit and 21 to get an expert professional licence. It will be obligatory for all to have a permit to be a conductor of a vehicle.

The draft law additionally has an provision for allotting 12 points to each driver. The driver will lose them for committing offenses and when the focuses boil down to zero, the driver's permit will be cancelled.

Also, a driver will lose focuses for nine sorts of offenses, including drunk driving illegal overtaking, reckless and dangerous driving, and violation of traffic signals and speed limits.

The legislature, through gazette notification can control the quantity of engine vehicles for a man, family, association and furthermore for a specific region. It can likewise set working hours for drivers, conductors, assistants and different staff members in accordance with the work law and the proprietors and enrolling experts must pursue those.

According to the draft law, 22 sorts of mandates must be pursued to drive engine vehicles, and a man may face imprisonment up to three months for violating those.

Action can be made against any administration official under the current law if his or her carelessness or blame causes an accident reads the draft.

On the off chance that any mishap happens because of deficiencies in the plan, assembling or support of streets, the development firm, the upkeep experts and allocated people will be considered mindful, and move can be made against them according to the current law, it includes.

A man may confront a most astounding of three years in prison or a fine of Tk three lakh or both, on the off chance that he or she disregards section 43 of the proposed law which manages over-burdening and related issues.¹⁴

¹⁴ <https://www.thedailystar.net/country/news/bangladesh-road-transport-bill-2018-placed-in-parliament-1633417>

The administration will raise assets for the harmed or relatives of those slaughtered in street mishaps. Those will be managed by a trustee board with delegates from various government offices, expressway police and associations of transport proprietors and laborers.

The assets will be raised with commitment from the administration, transport proprietors and laborers, with a segment of fines acknowledged from the offender.

6.2: Law and challenge :

Every driver ought to ask their own still, small voice before driving a vehicle that 'is it alright for my very own life and furthermore for the travelers and open?' Why would it be advisable for us to go out on our very own limb life by driving a vehicle disgraceful of street and taking a chance with the life of others also? The individual in charge of issuing MOT ought to likewise ask his own heart 'is he making the best decision or taking a chance with the significant existence of others?' BRTA report appears among the 50 lakh vehicles employing on the streets 72 percent of which are absence of wellness freedom. So it's enormous test to put the framework destined for success. The legislature is sufficiently equipped to issue legitimate MOTs however just it requires a reasonable judgment and solid assurance to stop any bungle. In such manner, the legislature ought to consider offering permit to very much prepared 'Autonomous MOT testing focus' kept running by able and confided in organization (as is being done in the Western World). It will likewise decrease the weight on people in general area and limit the defilement.

A standout amongst the most difficult issues is to guarantee that every one of the drivers are all around prepared having legitimate permit. As indicated by BPWA around 16 lakh out of 70 lakh drivers didn't have driving permit. It embroils an immense duty of preparing existing and new drivers. So we have to grow the drivers preparing offices the nation over to address this colossal test. The preparation organizations ought to consider 'explicit preparing need appraisals' for vehicle, jeep, engine cycle, trucks, transport, smaller than normal transport, lorries, moderate moving vehicles and so forth.

The best test is to keep ourselves constantly mindful about the spin-offs of accidents. It would help us mentally and physically watchful to maintain a strategic distance from any mishap as it breathes life into our cognizant and additionally subliminal personality for unanticipated occurrences. Mindfulness can keep the propensity of heedless fast driving and infringement of movement rules. We need to keep ourselves mindful.¹⁵

6.3 Gaps between law and policy:

The earliest law on the road transport sector was the 1914 Motor Vehicles Act enacted by the British pilgrim rulers. This was supplanted by another law the Motor Vehicle Act of 1939 which experienced three name changes – East Pakistan Motor Vehicle Act of 1947, The Motor

Vehicles Act of 1972 lastly the Motor Vehicles Ordinance (MVO) of 1983. The last remains the present law in power. While the names changed, the requirement for a refreshed law satisfying the necessities of present-day economy and society remains an incomplete undertaking.

¹⁵ <http://www.theindependentbd.com/arcprint/details/157331/2018-07-11>

Key shortcomings of the MVO 1983 incorporate ¹⁶: i) nonappearance of any provision for directing assembling and collecting of vehicles ii) absence of legitimate lucidity on passable transports i.e. nonattendance of arrangement on slowmoving vehicles (SMV) and battery and gas-driven casual transports that have mushroomed as of late iii) no provision for approving BRTA on license issuance and renewal iv) enrollment methodology and issuance of number plates not in similarity with the law v) no provision for eliminating of vehicles or settling age limit of vehicles and vi) no provision to set models on air contamination, carbon discharge.

Policy makers have perceived these shortcomings and the requirement for a updated law. This has in the long run prompted the drafting of another law the Road Transport and Traffic Act (RTTA), 2011. In addition to other things, the new law covers all classes of street clients including walkers, settles the job neighborhood governments in the readiness and authorization of some administrative capacities, gives lawful support to provision and utilization of Highway Code and Traffic Sign Manual. A specific focal point of the law is directing walker utilization of streets and roadways however it isn't certain whether there are any counter arrangements in regards to anticipation of infringement of pathways and street side land that make suitable person on foot conduct troublesome if certainly feasible.

An intriguing part of the law is that it has dropped the MVO 1983 provision for „on spot fines“. Define offenses under the 1983 law are minor in nature and money related punishment given are likewise minor. Since nature of offenses are unexpected of changing innovative and social conditions, RTTA, 2011 has carefully selected to prohibit this issue from the law itself and reserved it to be incorporated into the Rules to be figured later under the law.

A critical gap in MVO 1983 was the absence of any provision on assembling and commerce in engine vehicles. This has been redressed in the proposed RTTA, 2011 to guarantee commitments of the makers, constructing agents and merchants and additionally purchasers' benefits. In different zones, mishap examination has been incorporated as a legitimate necessity while the utilization of caps and safety belts has been made required and the utilization of cell phones and ear plugs banished. Importantly, the driver and sometimes the proprietor has been made at risk for paying remuneration if there should arise an occurrence of attempt at manslaughter mishaps.

A thing totally missing in the prior law, to be specific on stopping, has been incorporated into the proposed new law to guarantee unhindered activity stream. Privileges of crisis vehicles, person on foot crossing, commitments of non-mechanized transports have additionally been consolidated

¹⁶ M.S. Siddiqui, 2014, Waiting for a suitable traffic law', in the *Financial Express*, Wednesday April 30, 2014, Dhaka

6.4: Engineering issues:

Nearby institutional and administration issues, building answers for street wellbeing enhancement are a fundamental piece of the plan. The need rundown of building issues relating to street wellbeing include:

Geometric structure standard: Significant enhancement works have occurred on national and local expressways, zilla and nearby streets everywhere throughout the nation. These incorporate development of new and key streets, re-arrangement of existing streets, broadening of streets, surface medications, bear enhancement, evacuation of vision check. From a building perspective, safe street configuration is imperative. RHD geometric structure manual tends to the wellbeing issues like the AASHTO Green Book which is a broadly acknowledged geometric plan standard.

Horizontal and vertical bends: Curves in streets and interstates are fundamental components here and there gave deliberately to empower change and super-rise. It is basic to pursue plan norms of RHD Manual or AASTO Green Book in such manner.

Width of the street: street width is regularly settled by activity volume and additionally vehicle sizes. Street width of 2-path National Highway is 7.3 m. Be that as it may, if the activity volume surpasses 14000 every day, the parkway ought to be a 4-path thruway. The vast majority of the major interstates in Bangladesh, for example, Dhaka– Chittagong (N1), Dhaka-Tangail (N2), Dhaka-Mymensingh (N3) ought to have been changed over to a 4lane roadway some time before on this thought.

Intersection plan: Intersections ought to be maintained a strategic distance from in expressways. Flyovers, Interchanges, hoisted and discouraged parts of roadways are given to maintain a strategic distance from crossing points. In Bangladesh, crossing points in thruways so far couldn't be maintained a strategic distance from because of different reasons, for example, street side exercises up and down the interstates, poor access control, poor or no expectation of future street and land utilize, insufficient overview and research, deficiency of activities, deficient assets and planning and introduction by unpracticed and in addition non-specialized officers, over all organization and absence of appropriate instruction and preparing gave to the officers and designers engaged with usage process.

Grade division for trades and for various methods of movement: Highways ought to be free from walkers, non-mechanized or moderate moving vehicles. Be that as it may, in Bangladesh in view of the financial condition it is absurd to expect to disallow these sorts of vehicles to enter the parkway. Hence, separate street should be accommodated these vehicles through evaluated division.

Using dividers, islands, flares, burrows for safe administration of movement: Dividers must be furnished in roadways with no less than 4-paths. Islands control the traffics to wanted headings. Flares are exceptionally valuable in crossing points for continuous stream of through traffics. Development of passages is costly and should just be given where other level partitions are hard to build as indicated by geometric structure models.

Fixing speed limits relying upon the structures: Speed limits are given in streets relying upon the street condition like, state of street surface, activity clog, utilization of movement paths, even and vertical bends in streets. In Bangladesh, there are speed constrains in a portion of the streets; be that as it may, so far these points of confinement have been disregarded both by the drivers and additionally by law implementing offices. Isolating diverse methods of activity and path the board is required for viable utilization of speed restrains that decreases mishaps.

Quality of Road Structures: Potholes, rutting, splitting and unwinding of street surface. Potholes implies melancholy in streets, rutting is misshapening along the wheel way of the vehicles, breaking and raveling are unmistakable disappointments in streets in moderately bigger regions. These conditions in streets may bring about losing of control of the vehicle by the drivers bringing about mishaps.

Hard shoulder of streets: In Bangladesh, the vast majority of the thruways don't have hard shoulders on account of restricted space and store limitations. Hard shoulders are typically built to give additional room to the vehicles to keep away from crashes and in addition give space to separated vehicles. Hard shoulders are for no situation accommodated moderate moving vehicles.



6.5: Institution:

There are three noteworthy administrative organizations and two designing foundations with obligations bearing on street security. The administrative organizations are the Bangladesh Road Transport Authority (BRTA) in charge of vehicle the executives and driver authorizing, the Road Transport Committee (RTC) named by BRTA in charge of course diversifying and the Police division - Metropolitan police, Highway police and District police – in charge of movement the board and requirement.

The two designing foundations are the Roads and Highways Department (RHD) in charge of the expressways and the Local Government Engineering Department (LGED) in charge of the feeder

streets.. Moreover, the Accident Research Institute (ARI) at BUET is ordered to keep up a mishap database. In 1995, the National Road Safety Council (NRSC) was set up to give a key vision on the topic of

6.5.1: BRT:

The Bangladesh Road Transport Authority (BRTA), established in 1983 under MVO1983 under the Ministry of Communication is the summit government association in the road transport sector commanded to regulate registration of motor vehicles, issuance of motor driving licenses of engine vehicles, issuance of course allow for transport vehicles, issuance of engine driving Licenses, issuance of engine driving Instructors' License, enrollment of engine driving preparing schools, review of engine vehicles engaged with street mishaps, examination of government vehicles for fix and so forth. Moreover, BRTA takes diverse measures so as to advance street wellbeing and directions street security avoidance exercises embraced by various offices/associations. BRTA readies the Annual Report of Road Traffic Accidents based on revealed information on street auto collisions from Bangladesh Police.

According to changed organogram of BRTA, add up to number of circle is 62 (57 District Circle + 5 Metro Circle). At present 57 circles are working where 61 AD (Engg.) is posted as leader of the workplace. Rest of the endorsed circles are regulated from close-by circles (57 circles). As indicated by reconsidered organogram the quantity of endorsed office staff is 815 out of which 479 are working by and by and Vacant Post 336. Hover workplaces of BRTA are going by Assistant Director (Engg.) and the divisional workplaces by Deputy Director (Engg.).

Despite the formal locale of BRTA, the true standards of the amusement demonstrate that driver authorizing, especially of trucks and transports, is controlled by the exchange association pioneers of the part and has been the situation for long. The sectoral affiliation pioneer is presently a powerful bureau part. Permitting examinations are regularly postponed for transport and truck drivers on the proposal of the affiliation pioneers. As far as it matters for them, members in the FGD with transport/truck owners'' affiliation focused on that BRTA permitting strategy is excessively tedious and to a great extent comes up short the expansive and developing interest for such licenses.

6.5.2: RTC

The Road Transport Committee (RTC), designated by BRTA, has ward over course allows for transports. This advisory group ordinarily experiences an issue of political catch by decision party individuals. After some time, participation of this body has turned into a prime vehicle for lease chasing.¹⁷

¹⁷ Abul Hossain, 2007, *Political economy report on urban bus operations*, Dhaka (mimeo)

Police: Metropolitan Police (MP), Highway Police and District Police Traffic wings

The police office initiates faculty like Constable, Sub-Inspectors/Sergeant and Assistant Superintendent of police as per the set down standards. Among them, the sergeant is selected for the most part for the administration of movement anywhere in Bangladesh. They experience the fundamental preparing for a half year at Bangladesh Police Academy. After the fruitful fulfillment of preparing, they are posted at movement divisions of different police units. They may likewise be conveyed to non-movement units, for example, police station or police headquarters for other police works. It is to be referenced that Sub-overseer and sergeants enlisted at the mid level are of a similar status however the essential distinction is that the sergeant has not been depended with the legitimate capacity to research any criminal case regardless of whether it is an instance of mishap while the Sub-Inspector can examine.

Constable who remains at the most minimal rank of police order might be drafted for organization in the rush hour gridlock division on the off chance that he has an exceptional activity preparing from the movement preparing focus. In any case, he might be exchanged out of movement unit to other police units after a specific period. Likewise, equipped Assistant Sub-Inspector may likewise be posted for a timeframe in the rush hour gridlock division and he might be presented out on other police units.

6.5.3: NRSC & DRSCs

The National Road Safety Council (NRSC) was set up in 1995 with a command to build up a key vision on street wellbeing for the nation. Beginning with its first National Road Safety Strategic Action Plan covering the period 1997-1999, NRSC has delivered various follow-up plans. Current vital activity plan is the 6th in the arrangement and spreads the period 2011-13 (this is affixed as Annex6). NRSC works through the Road Safety Cell (RSC) situated inside BRTA and the District Road Safety Committees (DRSC) at region and metropolitan dimensions. In any case, a significant part of the above stay more on paper.

The sixth National Road Safety Action Plan recognizes nine need segments for development. These are: I) arranging, the board and coordination ii) mishap information framework iii) street designing iv) activity enactment v) movement requirement vi) driver preparing and testing vii) vehicle wellbeing viii) instruction and attention and ix) restorative administrations. For execution reason, seven driving operators have been named: a) Roads and Highways Department(RHD) b) Dhaka City Corporation(DCC) c) Bangladesh Police d) Road Safety Cell (RSC) e) Bangladesh Road Transport Authority (BRTA) f) the Ministry of Education and g) the Ministry of Health

Chapter 7

Recommendation

7.1 Finding that issue for the road safety motivation :

The first part has evaluated finally the means required to take forward the road safety motivation in Bangladesh. The reason for this chapter is to take shape that exchange into an focused arrangement of proposals. Prior to that, however, it merits repeating six key findig that inform the road safety debate and the proposed suggestions.

Key findings 1: Accident spots

Road accident are happening not over all the length of the expressways and roads however in a limited number of „black spots“ that see monotonous accident. An examination completed for this investigation demonstrates that accidentprone length of the highways total to around 57 km. RHD road safety division has identified a list of 209 such „black spots“ however it ought to be included that ordinary updating of such a list is essential as more of previous rural road are conveying strongly increased road traffic.

Key finding 2: Multiple reasons for accident .

Enhancing road safety and reducing accident require a multi-pronged methodology on the grounds that there are nine major causal components at work. These incorporate rash driving, untrained drivers, unfit vehicles, concurrent task of mechanized and non-mechanized vehicles without separation and adequate rules , helpless street side exercises, broken street plan, poor movement requirement, absence of road safety awareness and a culture of exemption with poor legitimate change.

Key findings 3:There are major gaps between law and policy:

Road transport part has developed incredibly in Bangladesh yet without the advantage of updated laws and controls. The vital lawful instrument – Motor Vehicle Ordinance 1983 – is basically frontier headache and is terribly obsolete. Notwithstanding, move towards another law is occurring without a far reaching consultative process

Key findings 4 :There are significant gaps in law and policy

Road transport sector has grown phenomenally in Bangladesh but without the benefit of updated laws and regulations. The principal legal instrument – Motor Vehicle Ordinance 1983 – is essentially a colonial hangover and is grossly out-of-date. However, move towards a new law is taking place without a comprehensive consultative process.

Key findings 5: Political economy factors are a major impediment to safe road agenda :

While there are many initiatives to make roads safer, many of these are routinely frustrated due to entrenched power nexus that prevent action against unfit vehicles, irrational route permits, encroachment on and occupation of road-side public land and appropriate penalties for accident perpetrators. Ownership of many transport companies as well as control of transport sector worker unions is dominated by influential political leaders. The problem is compounded by either the complicity or inaction by the police.

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