Report on executing the law of Vietnamese with two main causes of accidents: not using safety helmet and drinking wine

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Abstract

Traffic accidents situation in Viet Nam at present is a more and more serious issue. There are 36.367 cases, which make 9.838 people die and 38.060 people injured (statistic in 2012). There are a lot of reasons for this issue, however one of the alarming causes is that the inhabitants drive the vehicles without crash helmet or using the low-quality one regardless the regulations. And we can not help mentioning the habit of drinking wine when they join the traffic. Equally important, it is related to some Vietnamese customs such as gathering after working hours every day, wedding ceremony, or death anniversary with beer or alcohol beverage, hence that issue has become graver. Both of above problems derive from resident awareness. Only by analyzing two small aspects of a problem can we see a part of Vietnamese awareness in taking part in the public traffic. That is the target of this essay.

Keywords: Human consciousness,traffic accidents situation, executing the law, using safety helmet, drinking wine, Vietnamese.

1. Introduction

Over the past ten years (2000 - 2010), Vietnam has estimated that there were 120000 people died of traffic accidents, which means 12000 people each year, even more than the number of casualties in the double disaster of an earthquake and tsunami in Japan, equivalent to 40 tragic plane crashes one year. Vietnam loses approximately 2.9% of GDP each year to road traffic crashes (WHO report on road safety of Vietnam researched by JICA). Traffic accidents have clearly affected such many aspects of life that it should be considered an urgent problem to solve. Vietnam is a developing country and has a high vehicle density, however, it seems not successful in diffusing knowledge and culture of safety, which should have been taught in early childhood. Mr. Pham Quy Ngo, Deputy Minister of Public Security of Vietnam, said that 80% of traffic violation derives from the consciousness of traffic participants. Driving without a helmet or using a fake helmet to deal with policemen or driving after drinking beer are unacceptable in any country. From the perspective of an economics student, this article will sum up situations, the causes and solutions of these problems based on data and documents of TRANSERCO, TRAMOC (Transport management and operation center) and other relevant organizations.

2. Literature review

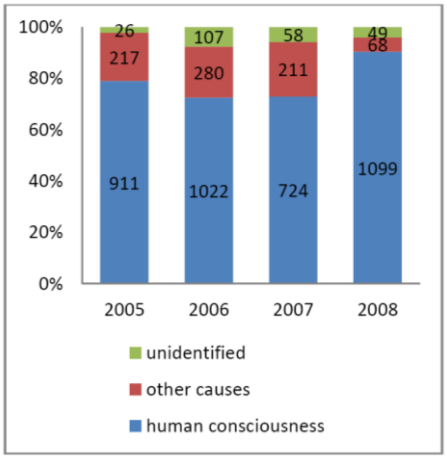

***Fig 1**: Causes of road accidents happened over groups*

The analytical results show that from70 to 90 % of traffic accidents each year are caused by human, approximate 20% of them were being investigated

or drivers were fleeing during 2005 and 2007, in 2008 this figure dropped to 5%.The number of traffic accidents occurred due to infrastructure nearly rare. The rest is unknown causes

There are many circulars and legislations relating this issue.For instance:

On 29/6/2006, the 9th Session of the eleventh Congress issued Law on Standards and Technical Regulations which took effect on 1/1/2007. Under the provisions of this Act, products and goods must be managed by the technical standards. On 28/4/2008, the Ministry of Science and Technology issued Decision No. 04/2008/QD - MOST on the national technical regulation of safety helmet for motorcyclists (CVN2: 2008/MOST).

According to Decision of 04/2008/QD - MOST, from 15/11/2008, all types of safety helmet for motorcyclists must be marked CR instead of CS.

According to Decree No. 71/2012/ND-CP amending and supplementing some clauses of the Decree 34/2010/ND-CP, it provides regulations against administrative violations in the field of road traffic as: fine from 500,000 VND to 1,000,000 VND for drivers on the road that their blood or breath have alcohol concentration exceeding 50 milligrams per milliliter or 80 milligrams/100 milliliter of blood or exceed from 0.25 milligrams to 0.4 milligrams / 1 liters of breath, and a fine of between 2,000,000VND and 3,000,000VND for drivers who have alcohol concentration exceed 80 milligrams/100 milliliters of blood or exceed 0.4 milligrams / 1 liter of breath. However, human consiousness is a complex factor. That why a host of rules are not the best way to solve this issue.

3. Methodology

The researchers of this article follow 2 approach methods. The first is to study the data from some websites such as TRAMOC, TRANSERCO ... and online media sites such as Intellectual, Youth, Vietnamnet ... The second is to research relevant regulations and circulars to see their effects on the problem being analyzed. From then on we can see the compliance with the laws of Vietnamese people.

4. Results

Overview of the execution of the helmet and use of alcoholic beverages of Vietnamese

4.1.1: No use helmet or use low-quality ones.

According to statistics of the Department of Road and Railway Police (Ministry of Public Security), approximately 50% of motorcyclists do not use lights when shifting, 70% do not use the handbrake, 72% are not used to wearing safety helmets when riding on the highway.

No	CAUSES	RATE
1	Shift without lights	50%
2	Do not know to use honks	85%
3	No use safety helmet	72%

***Fig 2**: Many parents drive their children around without a helmet, which is very dangerous.*

In the beginning of the month from 5/2013 to now, Market Management Department of Hanoi has discovered dozens of helmet which were sold with no documents, no listed prices, no Vietnamese extra label with imported hats, and has seized nearly 500 Chinese helmet, 1246 finished helmets...

***Fig 3**: There are potential risks when the children do not wear helmets while participating in traffic*

Fig 4: *Kinds of cap have the helmet's styles.*

Besides, helmet subsidies fall into slump since the sanctioning to fine the riders using fake helmets was suspended. From March to now, Hanoi has expanded the place to change subsidy helmet by 90, and most fall into the desolate condition. According to the National Traffic Safety Committee, by this time, helmet exchange program has attracted 17 participating businesses, hundreds of helmet exchange locations throughout the provinces. However, the amount of exchange helmet is just about 200,000.

Moreover, in fact, many kinds of helmet are stamped CR but they are fake or not suitable for motorcycle riders

Fig5: *Mark CR mounted on the standard helmet*

Previously, based on the ordinance about the quality of goods in 1999, a lot of goods that in Vietnam Standards implementing area must be ISO certified and affix CS label before being circulated in the market. Helmet is the product that have to be to meet the Vietnam standard (TCVN5756: 2001) and affixed with CS (CS stands for the English word with mean is appropriate standards).

Under the provisions of the regulation 29/06/2006 (In Litterature review), domestic helmet production or imported ones must get certified, and have CR stamps before being circulated in the market (the English abbreviation CR is consistent regulations). To be affixed with the CR, helmet manufacturers or importers have to be certified by the Ministry of Science and Technology, if products comply with standards, they will obtain a certificate for a period not exceeding 3 years; and must affixed CR stamps to the helmets before putting into circulation and to make the announcement at the Department of standards, Metrology and Quality provinces / cities.

4.1.2. State of using alcohol

According to the analysis of the functional forces, there is up to 40% of the number of serious traffic accidents, and 10% of deaths related to drivers using alcohol while in traffic. However, the state that riders use alcohol with concentrations exceeding permitted limit has not been settled definitely.

Although Ho Chi Minh City continues to define this year as the "Year of Traffic Safety" but in the first 5 months of 2013, the number of deaths due to traffic accidents kept rising. According to Mr. Nguyen Ngoc Tuong, Deputy Director in charge of City Traffic Safety Committee, from the beginning of this year, there were nearly 1,600 cases, which killed nearly 300 people and injured nearly 1,400 people. This figure is up about 25% compared with the same period in 2012. The main reason is due to the traffic participants using alcohol, which leads to speeding too fast, wrong lane or overpass.

Moreover, only in the first 2 months of 2013, more than 400 victims of traffic accidents were sent to and treated at the Tay Ninh General Hospital, in which nearly 200 people were suspected of having drunk alcohol.

4.2: Causes

4.2.1. No helmets and fake helmets

First and foremost, fake helmets are convenient with many different styles and designs

***Fig 6**: Poor quality helmets are sold everywhere on the side of the street.*

Secondly, internal agencies have not yet come into mutual agreement in whether fining the riders using fake helmets or not. Even in a decree, there are some overlap and lack of clarity. EG: "Resolution 02/2001/NQ-CP March 2, 2001 of the Government. When people flock to exchange genuine helmet, suddenly the rules are not sanctioned, which makes the helmet exchange locations become disserted

***Fig 7**: Most of the helmet exchange places fall into deserted*

Finally, although genuine helmets were subsidized, but compared with the price of the same kind on the market, they are not cheaper. According to the survey of Vietnamnet reporters, one of the causes of the exchanging places fall into a slump is that despite the subsidy from 20.000 to 100000VND / item, some firms participating in the program with less number of hats, higher prices can not attract people to buy and the quantity of helmet sold out is low. For example the product of Amoro, although they are subsidized from 30,000 to 50,000 VND / unit, each unit is still cost from 230000 to 400000VND

4.2.2. State of using alcohol

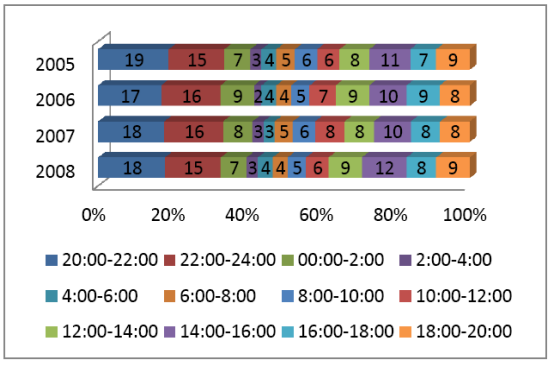

Fig 8: *Road accidents happened over time*

Rates of road accidents at off-peak hours (14:00 to 16:00) and at night (20:00 to 2:00 am) which constitute 8 hours (6 hours in the evening and at night from 20:00 - 2:00 am plus 2 hours at off-peak hours from 14:00 to 16:00) accounted for approximately 50% of all road accidents in a day. During these periods, low-density traffic tempting people to fasten their vehicle's speed, also the low-light condition, the limited visibility at night and the careless driving are the causes of road accidents. This figure also shows high rate of road accidents after dinner time (8:00 p.m. to 10:00 p.m.). This is the time traffic participants often have alcohol with dinner, so they do not fully control their vehicle. This bad habit can increase the number of traffic accidents.

Moreover, Viet Nam is still lacking of the equipment for measuring alcohol concentration, which is broken down frequently. Moreover, the police force mainly concern to some mistakes such as traveling wrong lanes, crossing the red lights and not intend to test the alcohol concentration at the beginning.

In addition, due to customs and traditions of Vietnam: in birthdays, wedding anniversaries, birthday of a year-old baby, housewarming, induction ... there is usually the alcohol. Pubs are springing up everywhere and wine and beer are in sale rampantly, which is uncontrolled.

***Fig 9**: After-hours drinking becomes a habit of Vietnamese people.*

5. Conclusion

After the above analysis, it is obvious that awareness of Vietnamese while in traffic in two aspects including using helmet and alcoholic beverages is not serious enough. They remain ignore to their own lives as well as others. Here are some solutions:

5.1. Solutions to problems that residents are not wearing helmets and using fake ones

First of all**,** the authorities should inspect, detect regularly and treat cases of traffic violations to raise awareness for people, and coordinate to propagate the law on traffic road, especially to all the drivers and their family members that they will see it is no longer a story of rules but also the story of human morality. It makes people know the way to restrain themselves and have sufficient awareness that they protect others as well as protect themselves.

Secondly, the government need to provide solutions to prevent fake helmets launched into the market as many as possible, Eg: Circular 06/2013 defined clearly responsibilities of organizations and individuals producing helmets to provide the suitable certificate, the documents relating to the quality of the helmet as an evidence of conformity, technical documentations, using manuals after 7 days from the date of completion of testing the helmet quality.

Furthermore, the ruling-class should continue applying full model "3 E" to reduce accidents and injuries, traffic accidents for students. Only educating traffic safety for students at the school is not enough (Viet Nam just implements the first E of 3 E: Education), we have to implement 2 next E simutaneously: improve and build safe environment (Environment), enhance enforcement and execute of school rules, legal national law to ensure the safety of students (Enforcement). This is the approach of the FCIP.

At the same time, what is still inadequate, lacking of explicit and also potentially leads to more severe situations, should be edited or cut out. Deterrent in law must always be ready for unethical cases, for instance, revoke driver's license permanently, increase the penalty for the violation, and the punishment must be proportional to the seriousness of violations... In Asian, there are some coutries which have laws and the observance of traffic laws that can be considered a ideal model, such as Singapore or Japan. Their success is based not only on the infrastructure investment modernly and thoroughly- things that we can not immediately follow. Therefore firstly, besides changing the law, obviously we will have to seriously learn their awareness and traffic culture.

5.2. Solutions for using alcoholic beverages while in traffic

The main measure is still to focus on propagandizing to raise drivers' awareness of limiting alcohol. Intensify and maintain continuous patrols, control breath alcohol concentration in traffic paticipants. There should be the regulations compulsory for pubs, especially at night, for example: Do not sell alcohol after 11 p.m to prevent drunk driving. In addition, all the beer and wine shops must hang propaganda poster for "No driving after drinking" to warn and prevent traffic accidents.

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