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The essence of road safety in Poland. Recognition of theoretical and empirical

Abstract

This article consists of two parts. The first part is based on the theoretical analysis of the concept of safety and prevention measures in road traffic, described in the existing literature and statistics. Whereas the second part focuses on the analysis of vehicle insurance as a financial instrument of economic safety of road traffic participants. In the 21st century, one of very important problems, not only socially but also economically, referring to Poland and other EU countries is the ongoing development of motorisation and, consequently, the progress in transportation. Unfortunately, this development sometimes leads to the growing number of road accidents and their effects.

Keywords: *insurance, safety, road accident, collision, road safety in Poland*

Introduction

For many years, in Poland as well as all over the world, we have been observing higher and higher traffic, not only on the roads, but also in the air and on the sea. Consequently, there are many phenomena, unfavourable for the sustainable development of our civilisation. They include the problems of the impact of transport on the natural environment (the increase of CO₂ concentration in the atmosphere¹) (Keeling 1978, pp. 36-54) and the threat of traffic accidents and their effects (*Roczne raporty statystyczne*).

The consequences of these accidents are an extremely important social and economic problem. Bearing in mind the safety of road traffic participants, in the insurance nomenclature there appeared an issue called vehicle insurance. The essence of this insurance is to mitigate the effects of traffic accidents, as well as to provide financial cover for victims. Insurance as one of the instruments of financial safety should mitigate or reduce the financial burden of people exposed to fortuitous road traffic-related events.

A traffic accident is an event in land, sea or air traffic, in which at least one vehicle takes part, the effect of which is damage to the property, injury sustained or even death of people participating in it. Bearing in mind the above definition, we can distinguish the following accidents: road accidents, railway accidents, air accidents and sea accidents. For the purpose of this article, the author will study the issue of traffic accidents on the road and analyse the problem of road traffic insurance as a financial instrument of economic safety of road traffic participants. This article consists of two parts. The first part is based on the theoretical analysis of the concept of safety and its preventive measures in the road traffic, as described in the existing literature and in statistics. The second part will include the analysis of vehicle insurance as a financial instrument for economic safety of road traffic participants. Here the author will attempt to present the linear relations between a number of insurance contracts made and the amount of gross premium written in vehicle insurance in Poland: autocasco (AC) (first party property insurance), accident insurance (NNW) and civil liability insurance (OC).

¹ See: tests of changes in CO₂ concentration in the atmosphere, conducted since 1958 by Charles David Keeling of the Scripps Institute of Oceanography.

The concept of safety

According to some researchers the adjective *bezpieczny* (Eng. *safe*) was derived, according to the Czech model: from the prefix *bez-* (eng. *without*) and the root *piecza* (Eng. *care*)². According to Katarzyna Wyrwas and Katarzyna Sujkowska-Sobisz (2005, p. 232), the adjective *bezpieczny* comes from the phrase *bez pieczy* (Eng. *without care*) which until the 17th century meant *beztroski* (Eng. *careless*), and later *nieostrożny*, *lekkomyslny*, *niedbały* (eng.e: *reckless, careless, heedless*) and *pewny siebie, odważny* (Eng.: *confident, brave*). There are some authors of academic publications who assign the meaning of *niebezpieczeństwo* (Eng. *danger*) to *bezpieczeństwo* (Eng. *safety*). Such an approach to the term *bezpieczeństwo* (Eng. *safety*) must be considered insufficient, as caring for means providing safety (i.e., is the synonym of safety). Hence, *bez-pieczy* (Eng. *without care*) means *bez-bezpieczeństwo* (Eng. *without safety*), which is the antonym (and not the synonym of *bezpieczeństwo* (Eng. *safety*)).

According to Leszek F. Korzeniowski (2012, pp. 88-92), most of the existing publications claim as certain an even less important hypothesis (Zięba 2004, p. 27; Škvrnda 2005, pp. 28-67; Hofreiter 2006, p. 19; Frederik, Arenas 2008, pp. 263-277, Kister 2009, pp. 12-13), in which the origin of the term safety is explained by the reference to the Latin *se – separately* or *sine* meaning *without*, and *cura – care about something or somebody*, which is an equivalent of the Old Polish *piecza*, while *bezpieczeństwo* (Eng. *safety*) – *bez opieki* (Eng: *without care*).

Ryszard Zięba (1989, pp. 49-70; 2004, p. 27), who is quoted by most authors, claims that the term *safety* refers to the Latin *sine cura*. The author recalls the definition of safety from dictionaries issued in the Union of Soviet Socialist Republics (USSR), the Deutsche Demokratische Republik (DDR) and in Hungary (compare: Rubin 1982, pp. 648-657).

The origin of the term safety should go back to the Ancient Rome and Latin (Korzeniowski 2008, pp. 58-62). Safety in Latin and Italian is defined as *securitas*³ (Pieńkos 1996, s. 11).

In the literature we can find two different definitions of the concept of “safety”:

² “Piecza” is an uncountable noun meaning „caring for somebody, caring about somebody or something; care”. See: *Słownik współczesnego języka polskiego* 2001, Vol. 2, p. 36. Words derived from „cura”: kuracja [cure], kurort [resort], kuratela [curator] and even pedicure [pedicure] and asekuracja.

³ The word “security” was derived from Latin “securitas”. It means protection against danger, loss or damage, whereas the word “safety”, derived from Latin “salvus”, means the condition of being protected against harmful events or the control of hazards to reduce risk.

1. Reporting, which recreates the sense the defined concept has in a specific colloquial language (dictionaries, lexicons, encyclopaedias) (Linde 1994, p. 84; *New Webster's Dictionary*, 1998, p. 1360; Skorupka 1987, p. 98).
2. Projecting, which sets a new meaning for *definiendum* in the academic and legal language: scientific monographs (Korzeniowski 2012, pp. 88-92), legal principles (Journal of Laws No. 78, item 483, amended) or technical standards (ISO/IEC 27001; PN-ISO/IEC 27001:2007; PN-N-18001:2004).

All the types of hazards belong to the concept of safety (Korzeniowski 2008, pp. 58-92; 2012, pp. 88-92). The mistake made by some publications coming from the authors from the circles of sociology or political sciences and, in particular, from military sciences abandoned in 2011, is their focus on the subjective aspect of the concept of safety (Misiuk 2013, ps. 24). Moreover, the majority of authors quote sketchy dictionary terms (Nowak, Nowak 2011, p. 14).

Road accident and collision and their effects

The problem of road accidents already existed at the beginning of motorisation. The first victims, connected with road accidents, were related to car rallies popular in the 19th century. Basic factors having an impact on the first road accidents were: recklessness of drivers, lack of precaution among spectators, rapid growth of speed reached by vehicles, lack of roads adjusted to the use of motor vehicles, as well as the lack of specific legal provisions governing road traffic⁴.

Pursuant to the definitions in the Regulation No. 635 of the Commander-in-Chief of the Police of 30 June 2006 on the methods and forms of keeping statistics of road events by the police, we can distinguish the following:

A road accident – is an unforeseeable road event being in a causal link with road traffic, resulting from the breach of safety principles in force in this traffic, and which has caused casualties, including the perpetrator. We can distinguish the following categories of casualties in the accident:

1. Fatality – a person whose death resulted from the accident due to the bodily injuries sustained at the place of accident, or in hospital within 30 days after the accident;
2. Seriously injured – an accident victim who requires long hospital treatment;

⁴ In 1769 Nicolas Joseph Cugnot designed and constructed the first steam-driven vehicle in the world and was the first to cause an accident by hitting the wall. The first road accident was recorded in 1893. It was caused by a crash of two cars. The first fatality was a pedestrian hit by a car in New York in 1895.

3. Slightly injured – a road accident participant whose injuries do not require hospital treatment (a person who suffered damage to health, impairing organ functions or causing health disorder for no longer than 7 days).

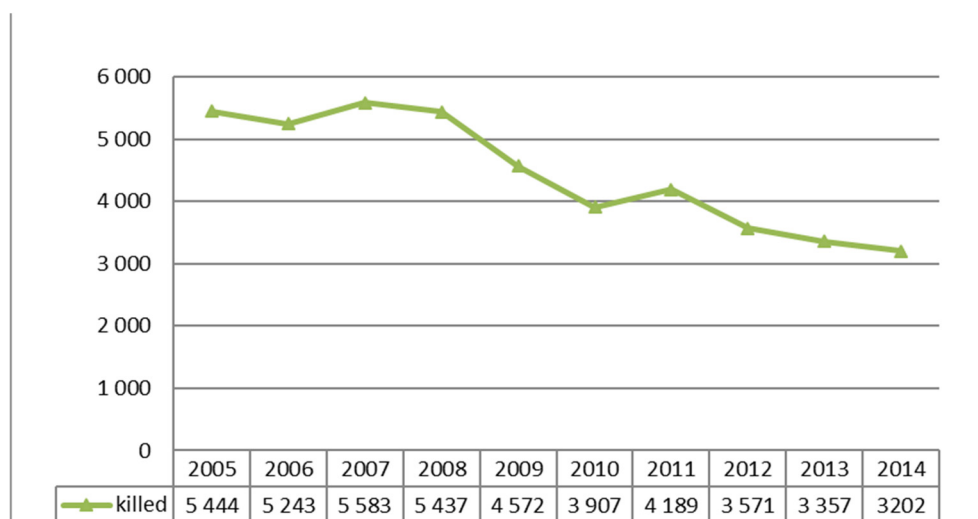
A road collision is a road event which caused only material loss or the total destruction of, e.g., another vehicle, a wayside object, a viaduct, or another element of the road infrastructure.

The place of an accident or a road collision is a public road: national, voivodship, commune and powiat road, as well as an internal road.

Number and trends in road accidents and collisions

Considering the data published by the Central Statistical Office (GUS), the number of vehicles registered in Poland is growing systematically. In 2004 the number of vehicles registered in Poland was 16,701,072, while in 2009 – 2,204,971. In 2013 there were 25,684,000 (*Transport – wyniki działalności w 2013 r.* 2014), which is an increase by approximately 35%, in comparison with 2014.

Fig. 1. The number and trends in road accident fatalities in Poland in the years 2005-2014

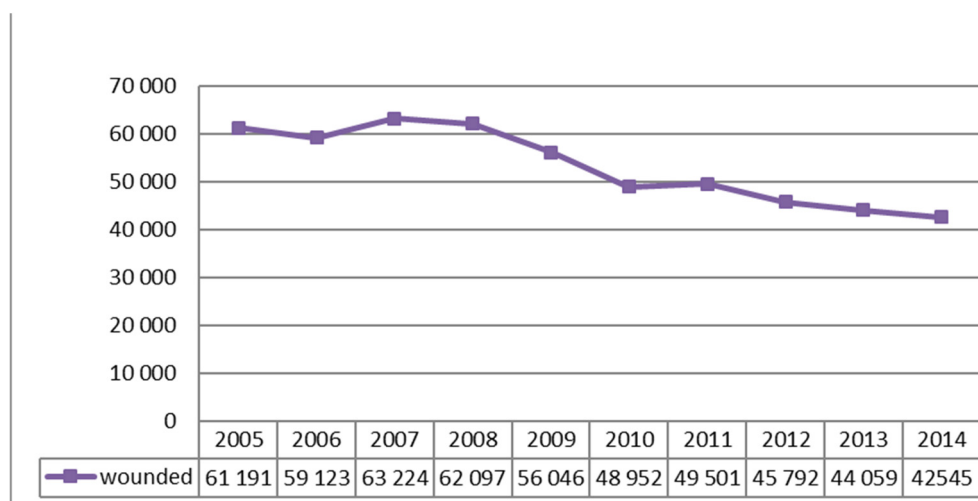


Source: Authors work, based on the data of Polish Central Statistical Office (*Transport – wyniki działalności w 2014 r. – suplement 2014*).

In the last decade, most road accidents (Fig. 1) were recorded in 2007 – 49,536. In the same year there was also the highest number of people killed and injured in road accidents, which is shown in the next graphs. In the years 2008-2010 a fall was recorded in the number of accidents and their victims. The number of accidents decreased from 49,536 in 2007 to 38,832 (a fall by 22%). The year 2011 brought another increase in the number of accidents by 3.2%. The next years show another drop in the number of road accidents, however, not so dynamic as in the years 2008-2010. The number of recorded accidents dropped from 37,046 in 2012 to 34,970 in 2014 (a fall by 6%).

The figures below indicate that the number of registered road accidents is correlated with the number of fatalities and the number of injured victims. Most people were killed (Fig. 2) in 2007 – 5,583. In the next years the number of road accident fatalities was falling and reached the level of 3,907 in 2010. This is a fall by 30%, in relation to 2007. The year 2011 brought yet another increase in the number of fatalities – by 282 people, compared to the previous year. The next years show another, gradual fall in the number of people who were killed on the roads. In 2014 there were 3,202 fatal victims recorded, which, in comparison to the most tragic 2007, gives a fall by 43%.

Fig. 2. The number and trends in road accident injuries in Poland in the years 2005-2014

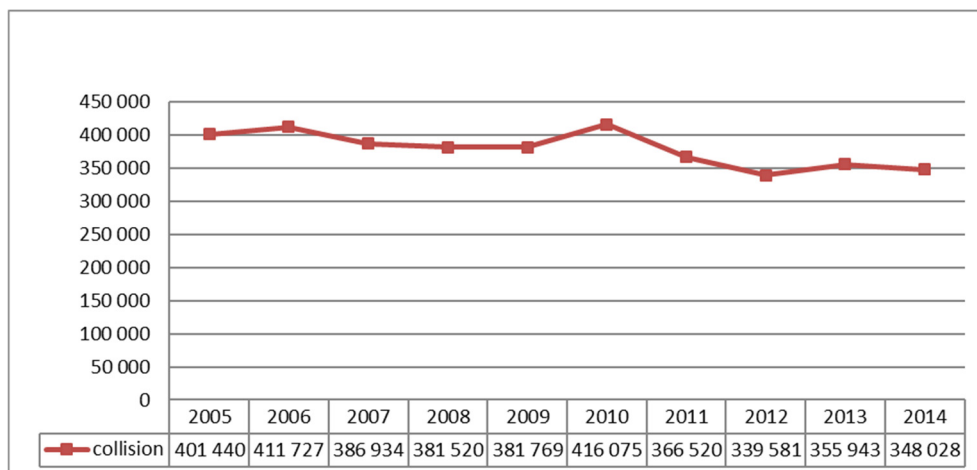


Source: Authors work, based on the data of Polish Central Statistical Office (ibidem).

The number of victims injured was similar to fatal road accidents. The highest number of people injured in road accidents was recorded in 2007 – 63,224. The consecutive years indicate a fall in the numbers of injuries. 2010 recorded 48,952 injuries (a fall by 22%), followed by a slight increase in the number of injuries in 2011. The years 2012-2014 note yet another steady fall in the number of injuries. In 2014 there were 42,545 injuries recorded, which shows a fall in relations to 2011 by over 15%.

Figure 3 presents the data on road collisions in the years 2005-2014. In 2006 the number of collisions grew from 401,440 in 2005 to 411,727 in 2006 (an increase by 2,5%). Consecutive years show a gradual decrease in the number of collisions. In 2009 there were 381,769 collisions recorded (a decrease by over 7%). In 2010 there was the highest number of collisions reported – 416,075, in the studied period. The next years show a gradual fall in collisions. In 2014 there were 348,028 collisions reported, which is a fall by 20% on the year 2010.

Fig. 3. Road collisions in Poland in the years 2005-2014



Source: Authors work, based on the data of Polish Central Statistical Office (ibidem).

The table below presents the number of road accidents and their effects in the years 2013-2014 by voivodship.

Table 1. Road accidents and their effects by voivodship

Voivodship	Accidents			Fatalities			Injuries		
	2013	2014	Change	2013	2014	Change	2013	2014	Change
Dolnośląskie	2,586	2,466	-120	223	242	19	3,385	3,154	-231
Kujawsko-pomorskie	1,182	1,044	-138	179	179	0	1,365	1,112	-258
Lubelskie	1,497	1,408	-89	250	195	-55	1,795	1,667	-128
Lubuskie	747	717	-30	94	81	-13	1,019	957	-62
Łódzkie	3,830	3,986	156	263	256	-7	4,733	4,807	74
Małopolskie	3,764	3,936	172	221	234	13	4,659	4,805	146
Mazowieckie	4,579	4,385	-194	562	518	-44	5,511	5,211	-300
Opolskie	791	738	-53	97	104	7	923	857	-66
Podkarpackie	1,807	1,751	-56	151	144	-7	2,251	2,184	-67
Podlaskie	738	692	-46	135	126	-9	874	793	-81
Pomorskie	2,641	2,724	83	174	181	7	3,405	3,476	71
Śląskie	4,529	4,360	-169	267	249	-18	5,506	5,324	-182
Świętokrzyskie	1,399	1,308	-91	143	130	-13	1,727	1,621	-106
Warmińsko-mazurskie	1,621	1,645	24	154	148	-6	1,968	2,052	84
Wielkopolskie	2,633	2,392	-241	289	268	-21	3,126	2,808	-318
Zachodniopomorskie	1,503	1,418	-85	155	147	-8	1,812	1,717	-95

Source: Authors work, based on the data of the Polish Police Headquarters (*Pojazdy zarejestrowane w Polsce w 2014 r.* 2014).

On the basis of the table above we can see that the number of accidents fell in the studied period in 12 voivodships. There was also a fall recorded in the number of fatalities.

Table 2. Road accidents in the years 2012-2014 by month

Months	Accidents			Fatalities			Injuries		
	2012	2013	2014	2012	2013	2014	2012	2013	2014
January	2,562	2,195	2,215	262	215	216	3,173	2,646	2,713
February	2,236	1,896	2,163	212	176	210	2,795	2,364	2,628
March	2,579	2,168	2,517	273	190	217	3,254	2,746	3,028
April	2,702	2,318	2,727	253	200	231	3,326	2,864	3,329
May	3,341	3,108	3,023	284	288	258	4,154	3,800	3,725
June	3,264	3,375	3,305	288	277	275	4,063	4,185	408
July	3,585	3,646	3,353	309	306	275	4,627	4,541	4,257
August	3,497	3,645	3,250	356	372	293	4,406	4,622	4,131
September	3,635	3,590	3,344	339	333	312	4,430	4,426	4,034
October	3,733	3,645	3,173	379	391	323	4,474	4,319	3,747
November	3,071	3,059	2,624	356	305	272	3,639	3,669	3,061
December	2,841	3,202	3,276	260	304	320	3,451	3,877	3,874
Total	37,046	35,847	34,970	3,571	3,357	3,202	45,792	44,059	42,545

Source: Authors work, based on the data of the Polish Police Headquarters (ibidem).

In the years 2012-2014, most accidents took place in July, August, September and October. The lowest number of accidents was recorded in January and February. It may be explained by the growing awareness of worsening conditions among road traffic participants. According to the table 3, we can observe that not only the season of the year but also the day of the week has an impact on road accident occurrence.

It can be concluded from the police statistics that most accidents happened on Fridays (16,6% of the total). It is worth considering that the lowest number of accidents is recorded on Sundays (11,7% of the total), when the traffic is very high (returns from weekend breaks). According to statistics, in 2014 most people, as many as 515 (16,1% of the total number of fatalities) died on Saturdays. On average, a person dies in every ninth accident, while on Friday – every eleventh. On Sundays, although there were the fewest accidents, every eight is a fatal victim. In 2014, the highest number of road

accident injuries was recorded on Fridays. Surprisingly, also hours have an impact on road accidents.

Table 3. Road accidents in 2014 by weekday

Weekdays	Accidents	Fatalities	Injuries
Monday	5,231	451	6,250
Tuesday	5,054	428	5,859
Wednesday	5,054	407	5,977
Thursday	4,914	394	5,946
Friday	5,792	504	6,854
Saturday	4,843	515	6,235
Sunday	4,082	503	5,424
Total	34,970	3,202	42,545

Source: Authors work, based on the data of the Polish Police Headquarters (ibidem).

The time period in which road accidents took place most frequently is the time between 14.00 and 19.00. It is the period of increased road traffic connected with returns home from work. The lowest number of accidents was recorded between midnight and 6 o'clock in the morning. During that time road traffic slows down.

Causes of road accidents and collisions

While analysing the table below, we can see that the majority of road accident perpetrators were car drivers. They were the perpetrators in 22,569 accidents in 2013, which amounted to 77,9% of the total number of accidents, while in 2014 – 22,036 (77,8% of the total number of accidents). We can see that the percentage of accident perpetrators stays at the same level in the studied period although in absolute figures, the number of car accidents decreased by 2,7%. In 2013 they were responsible for 1,638 deaths, which is 72,2% of the total number of people killed on the roads, while in 2014 – 1,561 (68,5%, of the total number of people killed on the roads. However, optimistic is the fact that compared to 2013, in absolute figures, the number of people who died on the roads decreased by 77, which is by 4,7%.

Table 4. Road accidents by perpetrator's vehicle type in the years 2013-2014

Perpetrator's vehicle type	Accidents		Fatalities		Injuries	
	2013	2014	2013	2014	2013	2014
Bicycle	1,716	1,786	153	146	1,642	1,716
Moped	884	855	39	49	963	906
Motocycle	967	1,023	146	151	957	1,061
Passenger car	22,659	22,036	1,638	1,561	29,841	28,769
Bus	347	364	23	103	580	588
Truck	1,954	1,850	225	213	2,477	2,354
Tractor	114	115	18	17	133	124
Slow-speed vehicle	13	26	2	1	15	35
Tram and trolleybus	38	29	1	5	90	45
Dangerous goods vehicle	3	4	-	1	4	3
Emergency vehicle	30	25	-	5	64	38
Other vehicle	90	83	7	6	104	93
Unknown vehicle	539	520	17	20	567	569
Total:	29,354	28,716	2,269	2,278	37,437	36,301

Source: Authors work, based on the data of the Polish Police Headquarters (ibidem).

From the research conducted it can be concluded that the main cause of road accidents caused by vehicle drivers are: speed maladjusted to traffic conditions, failure to give way, inappropriate overtaking, avoidance, passing, behaviour towards pedestrians, turning, reversing, running the red light and other signs and signals, tailgating, fatigue, drowsiness.

Moreover, the research shows that one of the main problems of recent years which appeared on our roads are young drivers aged 18-24. In 2013 they caused 6,233 accidents, which is 21.2 % of the total number of accidents, while in 2014 they were the perpetrators in 5,962 accidents – 20.8% of the total number of accidents. These were the accidents where the driver was responsible. The analyses conducted show that this is a group of drivers who lack experience and practical skills in driving a vehicle (tempted into risk-taking and recklessness).

Further research indicates that another group of road accident perpetrators were pedestrians. By their behaviour they contributed to 3,182 accidents in 2013 (which is 8.9% of total accidents), where 579 of them died and 2,671 sustained body injuries. Whereas in 2014 pedestrians caused 3,050 accidents (which is 8.7% of total accidents). 565 road users died and 2,555 were injured. The most frequent reasons of accidents caused by pedestrians are: careless entering the street in front of a vehicle, careless entering the street from behind a vehicle or an obstacle, stopping, retreating, standing or lying in the street, walking along an improper side of the street, entering the street at the red light, crossing the street where it is prohibited. Moreover, causes of accidents may also include: animals on the road, sudden fainting of a driver, technical defect of a vehicle, improper condition of the road (potholes), blinding by another car headlights or sunlight, car fire.

A separate group of people causing road accidents are the intoxicated. Although in the recent years we have seen an apparent decrease in the participation of drunk people in accidents, the accidents where they participate are serious ones, with numerous fatalities.

In the research period the highest number of accidents with the intoxicated people took place in 2005 (critical point), when there were 6969 such accidents. In 2006 there was a fall by 171 events, then by 406 in 2007. The years 2008 – 2009 brought a slight upward trend compared to 2007. Whereas 2010 the number of accidents with the participation of people under the influence of alcohol started falling. 2014 is the year with the lowest number of such accidents in the last decade.

Year 2005 went down in history as the most infamous for the number of accidents caused by intoxicated people. The number of accidents caused that year amounted to 5,748, which is 12% of the total number of accidents which took place in 2005 (48,100 accidents). In the next years there was a slow decrease in the number of accidents whose perpetrators were intoxicated people, to reach the lowest number – 2,579 in 2014, which is 7% of the total number of accidents (34,970). Compared to 2005, there was a fall by 3,169 accidents with intoxicated people (by 55%). The most numerous group of drunk accident perpetrators were vehicle drivers. They caused 1,838 accidents with 256 fatalities and 2,313 people injured.

Drunk drivers most often participate in road events on the last days of the week. The research indicates that most accidents with intoxicated people take place on Saturdays and Sundays. It is probably connected with social events at which alcohol is consumed. The research conducted indicates that alcohol causes: impairment of hearing,

restricted field of vision, slowed down reaction time, worse coordination of movements, incorrect assessment of speed and distance (a car, a lane or a tree may seem much further than in reality), and lack of criticism of one's own ability to drive.

The research also indicates that the gender of the driver also has an impact on the number of traffic accidents. Statistics indicate that in 2013 accidents caused by male drivers were the most frequent. The share of men in the total number of drunk driving accidents was 74.1%, whereas the share of women was only 21.4 %.

Here we should mention that when the Blood Alcohol Content (BAC) amounts to or leads to the concentration from 0.2‰ to 0.5‰, the state is defined as the state after the consumption of alcohol. However, when BAC exceeds 0.5‰, it is defined as the state of intoxication. In Poland the legal limit of BAC for drivers is up to 0.2‰.

Efforts to improve safety

Poland, as one of the European Union member-states, is obliged to a firm policy to improve road safety, especially because Poland takes one of the last places in the entire EU in terms of road safety. The previous strategy for road safety called GAMBIT (*Krajowy program bezpieczeństwa ruchu drogowego na lata 2005-2007-2013 „GAMBIT 2005”* (2005), due to the insufficient financial resources, the shortage of qualified staff, has not been fully implemented and its aims have not been fully achieved. One of the reasons was the lack of systematic communication strategy.

The step towards the improvement of actions oriented at the decrease in fatalities and injuries on Polish roads was the adoption of the new National Road Safety Program for the years 2013-2020. This program was announced and accepted on 20th June 2013 by the National Road Safety Council under the name “The National Road Safety Program” (*Narodowy Program Bezpieczeństwa Ruchu Drogowego 2013-2020* 2013). This program is based on “six pillars”, the sixth of which “Safe Speed” was added later, thinking that one of the main problems on Polish roads are accidents caused by over-speeding.

In order to improve road safety some tasks targeted at educating the society in this area must be carried out with full awareness and responsibility. Road users should be fully aware of the inevitability of severe punishment for failure to comply with road traffic regulations. What is also important is systematic modernisation of the road infrastructure, by building and improving the quality of roads or eliminating particularly dangerous places. Moreover, another crucial element of improving safety on Polish roads is a consecutive reduction of the number of vehicles in a poor technical condition.

Every year about a million people (adults and children) die on the world's roads and 20-50 million people suffer from sustained injuries. According to the estimates published by the World Health Organisation (*Global Health Observatory (GHO) data*), in 2020 the number of road accident fatalities may increase to 2 million, and road accidents will move up from the ninth to the third position on the list of the greatest health and life hazards, just below heart diseases and neuroses. Bearing the above in mind, in March 2010 WHO proclaimed the "Decade of Action for Road Safety 2011-2020" (*Global Plan for the Decade of Action for Road Safety 2011-2020* 2010), the main aim of which is to stop the growth and, then, decrease the number of road accident fatalities.

Conclusion

The negative consequences of road accidents are defined in terms of social and economic costs. These costs can be divided into:

1. Tangible costs – real costs incurred as a result of property damage, costs of emergency and rescue operations, medical health care, rehabilitation, value of production lost due to a period of inability to work, permanent disability or death.
2. Intangible costs – pain and suffering caused by the loss of the nearest and dearest, permanent disability.

According to the latest report of the National Road Safety Council, the costs of accidents and collisions reached the level of PLN 40.1 bl. These are the loss in infrastructure, the cost of medical treatment of accident victims and the time in which victims were unable to work (*Raport koszty wypadków drogowych w Polsce w 2013 r.* 2015).

In 2013 the share of road accident-related loss in Poland reached the level of 2.1% of GDP. Year by year the share of this loss is increasing although the number of accidents and victims is decreasing (*Roczne raporty statystyczne*). The reasons for such a situation can be found in the following facts: year by year we drive more expensive cars, the infrastructure, damaged in consequence of accidents, is more and more expensive, and the costs of medical treatment of accident victims grow, as well.

The forecasts published by the Main Statistical Office project that the 2014 loss will get higher and will probably exceed PLN 50.7 bl. As we can see from the above deliberations, traffic accidents are mainly tangible losses, i.e., the loss of money. Bearing it in mind, the second part of this article is going to focus on the analysis of vehicle insurance as an instrument of financial safety in road traffic, which includes in its offer: the

cost of medical treatment, compensation payment, disability benefits, loss of income due to the death or disability of the main family “breadwinner”.

However, regardless of a vehicle insurance, it must be remembered that safety depends mainly on each of the road users and each of us is responsible for their own actions. In this case, we must remember Article 177 of the Penal Code which says:

“§ 1. Whoever, unintentionally causes an accident in which another person has suffered a bodily injury specified in Article 157 § 1, by violating, even unintentionally, the safety rules for land, water or air traffic shall be subject to the penalty of the deprivation of liberty for up to 3 years.

§ 2. If the consequence of the accident is the death or a serious bodily injury to another person, the perpetrator shall be subject to the penalty of the deprivation of liberty for a term of between 6 months and 8 years.

§ 3. If the injured person is a next of kin of the perpetrator, the prosecution of the offence specified in § 1 shall occur on a motion from the former” (Ustawa z 6 czerwca 1997 r., art. 177).

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