

# Transportable pressure equipment

2009/0131(COD) - 18/09/2009 - Legislative proposal

**PURPOSE:** to set out detailed rules concerning transportable pressure equipment to enhance safety and ensure free movement of such equipment within the Community.

**PROPOSED ACT:** Directive of the European Parliament and of the Council.

**BACKGROUND:** the transport of pressure equipment, e. g. tanks, receptacles, drums and cylinders, constitutes an important area of the transport of dangerous goods.

Council Directive 1999/36/EC ensures a high level of transport safety for transportable pressure equipment whilst allowing their free movement and use on the European transport market through common norms for their design, construction and subsequent checks. For the technical requirements, the existing Directive 1999/36/EC refers to Directives 94/55/EC and 96/49/EC, which have been repealed by Directive 2008/68/EC with effect of 1 July 2009 . Directive 2008/68/EC incorporates into Community legislation the requirements contained in international agreements on transport of dangerous goods by road (*ADR: European Agreement concerning the International Carriage of Dangerous Goods by Road*), rail (*RID: Regulations concerning the International Carriage of Dangerous Goods by Rail*) and inland waterways (*ADN: European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways*).

As a result of these recent legislative developments, which in turn reflect technical developments over the last 10 years, the EU rules have become complicated and difficult to understand. In addition, on a number of technical issues the interplay between European and international rules will lead to certain contradictions which would make their application even more difficult. The second key objective of the proposal concerns the use of the equipment itself for transport operations in the internal market.

In view of these facts it is necessary to revise Directive 1999/36/EC.

**CONTENT:** this proposed Directive sets out detailed rules concerning transportable pressure equipment to enhance safety and ensure free movement of such equipment within the Community. It defines a number of terms regarding transportable pressure equipment, actors and measures guaranteeing the safety of the equipment and its use on the internal market.

The need for simplification and clarification is the main reason for the Commission to propose this revision. Neither the scope, nor the measures of the existing Directive will be changed in any substantial way. This also results in minimal budgetary and other economic impacts on administration and operators.

As for the technical provisions, a central simplification objective is to remove conflicting issues between the existing Directive on Transportable Pressure Equipment and international rules on the transport of dangerous goods, in particular since these rules have already been extended to Community legislation through Directive 2008/68/EC.

The proposal simplifies existing provisions, in particular those relating to the modules on conformity assessment procedures. This dimension will be substantially streamlined and simplified in the proposal, which makes reference to the relevant international agreements. The technical rules and administrative procedures are more consistently presented in one source, i.e. in the international agreements.

The proposed Directive focuses on those issues that can be treated satisfactorily only through European legislation.

As for making the equipment required for transport operations available on the market, the

Community has recently adopted rules relating to the marketing of products on the EU single market ("*New Legislative Framework*") which should, wherever possible, be applied across all industrial sectors (see [COD/2007/0029](#) and [COD/2007/0030](#)). By incorporating these rules into the proposal for the specific sector of transportable pressure equipment the Commission will help to simplify the rules by not creating different, sector-specific rules where the general rules would serve the purpose.

**BUDGETARY IMPLICATIONS:** given that the provisions of the existing Directive on transportable pressure equipment are already implemented, any further budgetary implications will be minor.