

Transport of dangerous goods by road: uniform procedures for checks

1993/0487(SYN) - 06/03/2017 - Follow-up document

The Commission presented a report on the application by Member States of Council Directive 95/50/EC on uniform procedures for checks on the transport of dangerous goods by road.

This sixth report has been drawn up on the basis of the annual reports received by the Member States and Norway and covers the period 2012-2014.

The report concluded that **all Member States carry out checks** on vehicles carrying dangerous goods and in general report these checks quite accurately. **Directive 95/50/EC is generally applied correctly.**

Improving reporting: in 2011, the Commission adopted a recommendation to address some **occasional inconsistencies** in reporting. After the publication of the recommendation, the reports improved significantly. However, there are still inconsistencies: they concern in particular the sum of infringements by risk category and the concept of penalties imposed when an infringement is detected during a roadside check.

The Commission intends to continue its efforts to **ensure compliance with the reporting requirements** and to ensure that the situation in this area gradually improves each year.

Developments regarding inspections: the latest reports showed that the availability of resources for these checks is becoming more limited. Compared to the reference period of the previous report (2008-2011), **the number of inspections reported decreased each year.** Although in 2013, there was an increase of 2.6%, the year 2014 was marked by a return to the values observed in 2012, namely 153 362 inspections carried out.

In 2012, Germany's share was the highest (35.99%), followed by Poland (13%), with Austria again taking the third place (7.8%). The three Member States with the lowest number of checks were Estonia and Malta (0.05%) and Cyprus (0.06%).

To prevent any dangers that may arise in the transport of these goods, the Commission would like to encourage the **exchange of best practice** and further investment in this field.

Comparison of data: the report noted the following:

- **the number of infringements remained relatively stable** during the reference period: in 2014 one check out of five affirmed or suspected an infringement in the carriage of dangerous goods, while in 2012 it was one out of 4.5 checks;
- in 2012, the average in the EU was 0.52 checks per million tonne-kilometre; in 2013 it declined to 0.48 implying an annual decrease of 9.6%, while in 2014 it came back to 0.49;
- **the proportion of non-conforming units decreased** from 22.12% in 2012 to 19.73% in 2014;
- where infringements were detected, in 42.69% of the **cases these were of the most serious type.** Consequently, some 8 875 vehicles were immobilised in 2012. Infringements falling within this

category involve a failure to comply with relevant safety provisions creating a high-level risk of death, serious personal injury or significant damage to the environment.

To conclude, almost **32 000** of the some 150 000 **annual roadside checks** result in the conclusion that the transport does not comply with the compulsory safety requirements.

According to the Commission, the high number of infringements reported by the Member States may also be due to their targeted check policy, aiming at identifying and sanctioning the worst performing transport operators in order to maximise the efficiency of the scarce resources available.

This implies that the statistics presented are not wholly representative of the EU market for the transport of dangerous goods, which in practice is much safer than it may appear from the data reported.

In this light the Commission, together with the relevant authorities, has started to analyse **possibilities to amend the Annexes to the Directive** in order to improve the way data on checks and sanctions are recorded and reported by the Member States.