Transport of dangerous goods by road: uniform procedures for checks. Codification

2021/0275(COD) - 13/09/2022 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 598 votes to 1, with 5 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council on uniform procedures for checks on the transport of dangerous goods by road (codified text).

Parliament adopted its position at first reading in accordance with the ordinary legislative procedure.

In the opinion of the Consultative Working Party of the Legal Services of the European Parliament, the Council and the Commission, the proposal in question is a straightforward codification of the existing texts, without any change in their substance.

The Directive introduces a **uniform system of checks at European level on vehicles carrying dangerous goods by road** to ensure a high level of safety. It applies to checks carried out by Member States on the transport of dangerous goods by road in vehicles travelling in their territory or entering it from a third country. It does not apply to the transport of dangerous goods by vehicles belonging to or under the responsibility of the armed forces.

The Directive:

- obliges Member States to ensure a sufficient level of checks on the vehicles concerned throughout their territory while, where possible, avoiding the proliferation of such checks;

- provides for checks to be carried out using a list of common items applicable to the transport of dangerous goods throughout the Union;

- establishes a list of infringements deemed sufficiently serious by all Member States to result in the application to the vehicles concerned of appropriate measures depending on the circumstances or the requirements of safety. The vehicles concerned may be immobilised either on-the-spot or at a place designated for that purpose by the authorities carrying out the check, and required to be brought into conformity before continuing their journey or may be subject to other appropriate measures, depending on the circumstances or the requirements of safety including, where appropriate, refusal to allow such vehicles to enter the Union;

- provides for checks on undertakings as a preventive measure or where serious infringements of the legislation on the transport of dangerous goods have been detected at the roadside in order to ensure compliance with the safety standards for the transport of dangerous goods by road;

- stipulates that the checks in question will cover all transport of dangerous goods by road carried out, in whole or in part, on the territory of the Member States, irrespective of the place of origin or destination of the goods or the country of registration of the vehicle;

- provides that in the event of serious or repeated infringements, the competent authorities of the Member State in which the vehicle is registered or the undertaking is established may be asked to take appropriate measures against offenders and to inform the requesting Member State of the action taken;

- lays down (i) if possible, the determined or estimated volume of dangerous goods transported by road, in tonnes transported or in tonnes/kilometres; (ii) the number of checks carried out; (iii) the number of vehicles checked by place of registration (vehicles registered nationally, in other Member States or in third countries); (iv) the number of infringements recorded according to risk category; (v) the type and number of penalties imposed.