

Transport of dangerous goods by railway

1994/0284(SYN) - 08/12/1995 - Council position

The common position of the Council incorporates one of the five amendments adopted by the EP at its first reading and accepted by the Commission in its amended proposal. This amendment allows Member States the right to undertake rail transport operations with states of the former Soviet Union which are not contracting parties to the Convention concerning international carriage by rail (COTIF). The other amendments were not accepted. The common position, whilst retaining the principal objectives of harmonisation and safety, nevertheless contains a number of changes to the amended Commission proposal, particularly as regards derogations, restrictions and exemptions most of which are limited in scope. The main changes concern the following points: - the possibility to apply specific safety rules on international or national transport of dangerous goods in areas not covered by the Annex (e.g. routing of trains, special rules for transport of dangerous goods in passenger trains); - the possibility for continuation of rail transport operations between Member States and states of the former Soviet Union under equivalent conditions of safety to those in the Annex; - the possibility for certain Member States to retain, in certain cases, their national legislation with regard to: .transport of dangerous goods via the Channel Tunnel and, in future, other similar tunnels of unique construction; .operating requirements for equipment in Member States where the temperature is regularly less than -20C; .the transport of dioxins and furanes; .the possibility to transport, over short and pre-designated routes, certain dangerous goods prohibited by the Annex but forming part of a defined industrial process, under strictly controlled conditions; .transport operations strictly confined to airports and industrial sites.