

Transport safety: transportable pressure equipment

1997/0011(SYN) - 30/11/1998 - Council position

The common position with a view to adopting a Council Directive on transportable pressure equipment (TPE) incorporates the content, if not the wording, of those European Parliament amendments included in the Commission's amended proposal. However, the Council did amend the Commission's amended proposal, notably in the following areas: - reassessment of conformity for existing TPE: the common position provides for the introduction of a procedure for subsequent assessment, at the request of the owner or holder, of the conformity of TPE already manufactured and put into service before the implementation date of this Directive with the relevant provisions of the Annexes to Directives 94/55/EC and 96/49/EC. A specific provision has been included for the reassessment of valves and other accessories used for transport. If the results of the reassessment are satisfactory, the TPE must undergo the periodic inspection; - TPE outside the scope of the Directive: the Commission proposal specifically excludes aerosol dispensers, gas cylinders for breathing appliances and equipment used exclusively for transport with third countries from the scope of the Directive; - notified bodies and approved bodies: the common position does away with type C bodies and establishes two types of body, a notified body (type A) and an approved body (type B). Member States may authorise an approved body to assess the conformity of receptacles, including their valves and other accessories, which are intended to be placed on the national market and hence do not bear the Community mark; - the common position provides for a number of provisions ensuring safety in the use of valves and other accessories for transport; - national provisions: Member States may retain their national requirements for devices intended for connection with other equipment, for colour coding and for the reference temperature; - committee procedure: the common position opts for a regulatory committee (type IIIa) instead of an advisory committee (type I), as proposed by the Commission; - implementation of the Directive: the proposed dates of transposition have been changed and provision is made for deferral of the Directive's implementing date for certain TPE; - transitional arrangement: the common position provides for the introduction of a transitional provision authorising the placing on the market and putting into service of TPE manufactured in accordance with the regulations in force nationally before the implementation of this Directive; - gas cylinders: the common position specifies which procedures are applicable to gas cylinders - a single conformity assessment procedure for all new TPE and a periodic inspection procedure for existing gas cylinders.