

Transport of dangerous goods by road

1993/0477(SYN) - 19/09/1994 - Council position

The common position incorporates three amendments by the European Parliament: - restricting the derogation for non-certified packaging to "domestic" carriage, i.e. carriage on the territory of a Member State; - excluding small quantities of moderately or highly radioactive substances or products from the derogation; - allowing Member States not just to continue to apply stricter provisions but also to introduce new provisions governing carriage using vehicles registered in their territory, with the exception of requirements relating to their manufacture. The common position departs from the initial proposal in that it: - changes the date of entry into force of the directive (1 January 1997); - deletes the exclusion of postal consignments from the scope of the directive; - maintains national legislation as regards the highway code for dangerous goods; - includes the concept of loading and unloading in the definition of "carriage", as covered by the annexes to the directive; - allows Member States to maintain their national legislation in specific cases as regards: . the quality assurance certification of enterprises for very dangerous goods, . vehicle design, solely for the centre of gravity of tanker lorries until 31 December 1998, . the obligation to use certain routes for very dangerous goods, . the reference temperature for the carriage of liquefied gas suited to the climate zone; - includes a provision on emergency measures which a Member State may take in the event of an accident; - allows goods classed, packaged and labelled in accordance with national legislation in force before the date of transposition into national law to be carried between the date on which the directive enters into force and 31 December 1998; - allows multilateral agreements to be concluded, provided that safety is not compromised.