

# Transport of dangerous goods by railway

1994/0284(SYN) - 09/12/1994 - Legislative proposal

The proposal for a directive seeks to harmonise the provisions of national laws on the carriage of dangerous goods by rail in order to ensure the same level of safety in international and domestic traffic, thereby allowing a single market to be created for these services in the Community. The Commission proposes that this be achieved by making the Regulations concerning International Carriage of Dangerous Goods by Rail (RID), annexed to the Convention concerning international carriage by rail (COTIF), applicable to the transportation of dangerous goods by rail both between and within Member States. In addition, the proposal for a directive: - authorises the Member States to continue applying national standards compatible with the multimodal recommendations of the United Nations on the carriage of dangerous goods, with which the RID are gradually being harmonised, until such time as the revised annex to this directive brings them into line with the aforementioned recommendations; - specifies the cases in which current provisions of national legislation on the carriage of dangerous goods may be stricter or more lenient for certain goods and certain specific objectives. These cases must be notified to the Commission; - makes provision for Member States to continue to apply stricter rules to wagons belonging to or registered with their rail network, insofar as they are being used to carry dangerous goods as domestic traffic; - facilitates multimodal transport by recognising the safety standards for the carriage of dangerous goods by air and sea; - grants an exemption from the requirement to establish documents on the transport operation in several languages where the transport operation is confined to the territory of a single Member State; - grants an exemption of unlimited duration from the provisions of the directive for wagons, containers and tanks manufactured in accordance with national legislation which applied before the directive entered into force; - authorises the Member States to continue to manufacture and use equipment which meets national standards pending the definition and introduction, by reference, of the standards in the annex to the directive or until 31 December 1998 at the latest; - makes provision for an exemption authorising the use on the territory of a Member State of a different reference temperature for the carriage of liquefied gas and mixtures by tanker which is suitable for transport in the climatic zone in question; - authorises dangerous goods classed, packaged and labelled in accordance with national legislation before the date of transposition of the directive to be carried until 1 January 1998; - authorises domestic consignments to use emergency action codes in lieu of the danger identification code prescribed by the RID; - authorises a Member State to maintain more lenient provisions for certain small quantities of dangerous goods, such as those used for track maintenance; - allows Member States an exemption from the provisions of the directive for very short, non-recurrent transport; - makes provision for derogations, to be granted by the competent authority designated by the Member State, for example for new packaging not yet included in the RID; - sets a period of validity of two years from the date on which the proposal enters into force for existing agreements or tariff clauses concluded between two or more Member States or railway networks, provided that they were negotiated in accordance with the uniform rules for international carriage of goods by rail; - makes provision for wagons carrying dangerous goods to or from a third country to be used for the international transport of dangerous goods on Community territory, provided that the transport complies with the RID; - sets the comitology rules needed in order to monitor the harmonisation of provisions governing the carriage of dangerous goods by rail.