

# Transport of dangerous goods by road: uniform procedures for checks

1993/0487(SYN) - 06/10/1995 - Final act

**OBJECTIVE:** to allow uniform checks on the transport of dangerous goods in transport undertakings and on the road. **COMMUNITY MEASURE:** Council Directive 95/50/EC on uniform procedures for checks on the transport of dangerous goods by road. **CONTENT:** - the directive applies to checks carried out by Member States on the transport of dangerous goods by road in vehicles traveling on their territory or entering it from a third country; it does not apply to the transport of dangerous goods by vehicles belonging to the armed forces; - definition of the terms "vehicle", "dangerous goods", "transport", "undertakings" and "check"; - obligation for Member States to ensure that a representative proportion of consignments of dangerous goods transported by road is subject to checks, to be carried out in accordance with Article 3 of Regulation (EEC) No 4040/89 and Article 1 of Regulation (EEC) No 3912/92; - obligation for Member States to use the check list in Annex I in order to carry out checks in accordance with the directive, while maintaining the Member States' right to take specific measures for one-off checks; - a copy of the check list showing the results of the check must be given to the driver of the vehicle and presented on request in order to simplify or avoid subsequent checks; - checks must be random and, if possible, cover an extensive portion of the road network; - samples of the products transported may be taken for examination by laboratories recognized by the competent authority; - the vehicles in question may be immobilized on the spot or at a place designated for the 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, including refusal to enter the Community; - preventive checks may be carried out in undertakings. In the event of infringement, the consignment in question must be brought into conformity before leaving the undertaking; - in the event of serious or repeated infringements, the Member State in which the vehicle is registered or the undertaking established may be asked to take appropriate measures; - Member States shall assist one another in order to ensure that the directive is applied properly; - each Member State shall send the Commission a report on the application of the directive for each calendar year including the following particulars: volume of dangerous goods carried by road; number of checks carried out; number of vehicles checked by place of registration. **DATE FOR TRANSPOSITION:** by 1 January 1997.