

Inland transport of dangerous goods

2006/0278(COD) - 26/06/2007

The Committee on Transport and Tourism unanimously adopted a report drawn up by Bogusaw **Liberadzki** (PES, Poland) on the proposal on the inland transport of dangerous goods. It made some amendments, the principal ones being the following:

- a new recital states that the provisions of the Directive should not apply to the transport of dangerous goods under the direct and physical responsibility of the armed forces. The transport of dangerous goods carried out by commercial contractors working for the armed forces should, however, fall within the scope of the Directive unless their contractual duties are exercised under the direct and physical responsibility or supervision of the armed forces;

- a Member State which has no railway system, and no immediate prospect of having one, would be under a disproportionate and pointless obligation if it had to transpose and implement the provisions of the Directive in respect of rail. Therefore, such a Member State should be exempted, for as long as it has no railway system, from the obligation to transpose the Directive in so far as rail is concerned;

- without prejudice to Community law and the provisions of Chapter 1.9 of Annexes I.1, II.1 and III.1, it should be possible for Member States, for reasons of transport safety, to establish specific and clearly provisions in areas not covered by the Directive;

- derogations should be listed in the directive as "national derogations", rather than "additional national provisions";

- the amendments to the ADR, RID and ADN and the corresponding adaptations to the Annexes should enter into force simultaneously. A recital states that the Commission should provide Member States with financial support, as appropriate, for the translation of the ADR, RID and AND and their modifications into their official language;

- each Member State may, exceptionally and provided that safety is not compromised, issue individual authorisations to carry out transport operations of dangerous goods within its territory which are prohibited by the Directive;

- Member States will be granted a transitional period of up to two years for the application of the provisions of the Directive in respect of inland waterways so as to allow sufficient time for the adaptation of national provisions, the establishment of legal frameworks and the training of personnel. A general transitional period of five years will be granted for all ship and personnel certificates issued prior to or during the transitional period for the application of the Directive in respect of inland waterways, unless a shorter period of validity is indicated in the certificate;

- the report ensured the harmonisation of changing time periods with a 2 year rhythm of amendments to the ADR, RID and AND. Certain derogations will be valid for a period of 6 years (rather than 5) from the date of authorisation, taking into account the 2 year rhythm of amendments to the ADR, RID and AND;

- in accordance with the Interinstitutional agreement on better law-making, Member States are

encouraged to draw up, for themselves and in the interest of the Community, their own tables, which will, as far as possible, illustrate the correlation between the Directive and the transposition

measures and to make them public;

- the transposition date is set for 30 June 2009;

- Member States may maintain national restrictions on the transport of substances containing dioxins and furans as applicable on 31 December 1996.