

Basic information	
1994/0284(SYN) SYN - Cooperation procedure (historic) Transport of dangerous goods by railway Repealed by 2006/0278(COD) Amended by 1999/0087(COD) Subject 3.20.02 Rail transport: passengers and freight 3.70.13 Dangerous substances, toxic and radioactive wastes (storage, transport)	Procedure completed

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	TRAN Transport and Tourism	CORNELISSEN Petrus A. M. (PPE)	22/02/1995
	Former committee responsible	Former rapporteur	Appointed
	TRAN Transport and Tourism	CORNELISSEN Petrus A. M. (PPE)	22/02/1995
	Former committee for opinion	Former rapporteur for opinion	Appointed
	ENVI Environment, Public Health and Consumer Protection		
Council of the European Union	Council configuration	Meetings	Date
	Transport, Telecommunications and Energy	1870	1995-09-28
	Transport, Telecommunications and Energy	1893	1995-12-08
	Agriculture and Fisheries	1944	1996-07-23

Key events			
Date	Event	Reference	Summary
11/10/1994	Additional information		Summary
09/12/1994	Legislative proposal published	COM(1994)0573 	Summary

25/04/1995	Committee referral announced in Parliament		
21/06/1995	Vote in committee		Summary
21/06/1995	Committee report tabled for plenary, 1st reading/single reading	A4-0152/1995	
12/07/1995	Debate in Parliament		Summary
14/09/1995	Modified legislative proposal published	COM(1995)0424 	Summary
08/12/1995	Council position published	11303/2/1995	Summary
18/01/1996	Committee referral announced in Parliament, 2nd reading		
18/03/1996	Vote in committee, 2nd reading		Summary
18/03/1996	Committee recommendation tabled for plenary, 2nd reading	A4-0074/1996	
15/04/1996	Debate in Parliament		Summary
04/06/1996	Modified legislative proposal published	COM(1996)0235 	
23/07/1996	Act adopted by Council after consultation of Parliament		
23/07/1996	End of procedure in Parliament		
17/09/1996	Final act published in Official Journal		

Technical information	
Procedure reference	1994/0284(SYN)
Procedure type	SYN - Cooperation procedure (historic)
Procedure subtype	Legislation
Amendments and repeals	Repealed by 2006/0278(COD) Amended by 1999/0087(COD)
Legal basis	EC Treaty (before Amsterdam) E 075-p1
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/4/07379

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0152/1995 OJ C 249 25.09.1995, p. 0004	21/06/1995	
Text adopted by Parliament, 1st reading/single reading		T4-0349/1995 OJ C 249 25.09.1995, p. 0119-0137	13/07/1995	Summary
Committee recommendation tabled for plenary, 2nd reading		A4-0074/1996 OJ C 117 22.04.1996, p. 0004	18/03/1996	
		T4-0168/1996		

Text adopted by Parliament, 2nd reading		OJ C 141 13.05.1996, p. 0020-0051	16/04/1996	Summary
---	--	---	------------	-------------------------

Council of the EU

Document type	Reference	Date	Summary
Council position	11303/2/1995	08/12/1995	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1994)0573  OJ C 389 31.12.1994, p. 0015	09/12/1994	Summary
Modified legislative proposal	COM(1995)0424  OJ C 313 24.11.1995, p. 0026	14/09/1995	Summary
Commission communication on Council's position	SEC(1995)2060 	08/12/1995	Summary
Modified legislative proposal	COM(1996)0235 	04/06/1996	
Follow-up document	COM(2002)0357 	03/07/2002	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0581/1995 OJ C 236 11.09.1995, p. 0036	31/05/1995	Summary
EU	Implementing legislative act	32003L0029 OJ L 090 08.04.2003, p. 0047-0047	07/04/2003	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Directive 1996/0049 OJ L 235 17.09.2096, p. 0025	Summary
---	-------------------------

Transport of dangerous goods by railway

1994/0284(SYN) - 28/09/1995

The Council agreed on a common position on the proposal for a directive on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail. The aim of the common position is to establish high national safety standards, i.e. up to the level of the international standards of the Convention concerning International Carriage by Rail (COTIF). It takes account of the potential risks associated with the transport of dangerous goods by rail, particularly given the fact that such goods often transit through urban areas and that accidents may occur during manoeuvres carried out in marshalling yards, which are often situated in the middle of towns. Moreover, with a view to the gradual opening of the market in rail transport, the text establishes a uniform set of national safety rules that will avoid giving rise to distortions of competition between modes in the transport of dangerous goods. The common position also allows for the possibility of imposing more stringent provisions for the transport of dangerous goods through the Channel Tunnel or tunnels with similar characteristics, as will be the case, according to information currently available, with the Storebaelt tunnel in Denmark and the Øresund tunnel between Denmark and Sweden. Once it has been formally adopted the common position will be forwarded to the European Parliament under the cooperation procedure.

Transport of dangerous goods by railway

1994/0284(SYN) - 03/07/2002 - Follow-up document

The transport of dangerous goods in the EU by rail is mainly covered by the Framework Directive 96/49/EC on transport of dangerous goods by rail. The European standards laying down detailed technical specifications relating to the construction, use and conditions of carriage of pressure drums, cylinder racks and tanks for the transport of dangerous goods by rail have not yet been added to the Annex to Directive 96/49/EC, since standardisation of the CEN on them is not yet complete. It is therefore necessary to defer the deadlines by which such pressure drums, cylinder racks and tanks must comply with Directive 96/49/EC. The proposed modification states that a Member State may maintain national provisions in force on 31 December 1996 relating to the construction, use and conditions of carriage of new tanks, and new pressure drums and cylinder racks as defined in Class 2 of the Annex, which differ from the provisions of that Annex until references to standards for the construction and use of tanks, pressure drums and cylinder racks are added to the Annex, with the same binding force as the provisions therein, but in any event no later than 30 June 2003. Pressure drums, cylinder racks and tanks constructed before 1 July 2003 and other receptacles constructed before 1 July 2001 and maintained to the required safety levels may continue to be used under the original conditions. The dates 30 June 2003 and 1 July 2003 shall be put back for pressure drums, cylinder racks and tanks for which there are no detailed technical requirements or for which no sufficient references to appropriate European standards have been added to the Annex.

Transport of dangerous goods by railway

1994/0284(SYN) - 14/09/1995 - Modified legislative proposal

The Commission's amended proposal incorporates the amendment allowing Member States to continue transport operations to and from the states of the former Soviet Union under conditions which do not correspond in all points to the provisions of the Annex but which nonetheless safeguard an equivalent level of safety. However, the Commission did not incorporate the four other amendments in the text of the directive.

Transport of dangerous goods by railway

1994/0284(SYN) - 23/07/1996 - Final act

OBJECTIVE: Harmonization of the rules applicable to national and intra-Community transport of dangerous goods by rail in order to ensure a high level of safety and the creation of a single market for such transport services within the Union. Such harmonization should eliminate obstacles to the free movement of goods between the Member States in respect of transport equipment (vehicles, bottles, tanks, packaging, safety devices). **COMMUNITY MEASURE:** Council Directive 96/49/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail. **SUBSTANCE:** The Directive establishes national safety rules at a high level, i.e. the level of international standards laid down in the Convention concerning international carriage by rail (COTIF). It takes account of the potential risks inherent in the transport of goods by rail, having regard to the fact that such goods are frequently carried through urban areas and that accidents are liable to happen during operations in marshalling yards which are often located in town or city centres. Moreover, with a view to the progressive opening up of the transport market by rail, the Directive establishes a harmonized package of national safety rules, which would prevent distortions of competition between the various modes of transport of dangerous goods. The Directive provides for the possibility of imposing more stringent provisions for the transport of dangerous goods via the Channel Tunnel or tunnels with characteristics similar to the Channel Tunnel, which would be the case, according to currently available information, with the tunnel under the Great Belt in Denmark and the Sound Tunnel between Denmark and Sweden. **DATE OF ENTRY INTO FORCE:** 17 September 1996 **DEADLINE FOR TRANSPOSITION INTO NATIONAL LEGISLATION:** 1 January 1997.

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.

Transport of dangerous goods by railway

1994/0284(SYN) - 07/04/2003 - Implementing legislative act

COMMUNITY MEASURE : Commission Directive 2003/29/EC adapting for the fourth time to technical progress Council Directive 96/49/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail. CONTENT : the Annex to Directive 96/49/EC refers to the Regulation concerning the international carriage of dangerous goods by rail, generally known as the RID, as applicable with effect from 1 July 2001. The RID is updated every two years. Consequently, the amended version will be in force with effect from 1 January 2003, with a transitional period up to 30 June 2003. It is therefore necessary to amend the Annex to Directive 96/49/EC. The measures provided for in this Directive are in conformity with the opinion of the Committee on the transport of dangerous goods referred to in Article 9 of Directive 96/49/EC. TRANSPOSITION : 1 July 2003. ENTRY INTO FORCE : 9 April 2003.

Transport of dangerous goods by railway

1994/0284(SYN) - 13/07/1995 - Text adopted by Parliament, 1st reading/single reading

Adopting the report by Mr CORNELISSEN (PPE, NL), the European Parliament approved the proposal subject to certain amendments calling for: - the local authorities and emergency services to be given advance warning of any transportation operation involving dangerous goods and persons not involved in the transportation to be prevented from traveling on trains carrying dangerous goods; - special rules for the transport of dangerous goods of local significance and for narrow-gauge, dock or mountain railways; - the facility to transport dangerous goods in tanker wagons from wide-gauge railways (in the CIS and the Baltic states) suitable for the change of gauge, provided that the required level of safety can be guaranteed.

Transport of dangerous goods by railway

1994/0284(SYN) - 08/12/1995 - Council position

The common position of the Council incorporates one of the five amendments adopted by the EP at its first reading and accepted by the Commission in its amended proposal. This amendment allows Member States the right to undertake rail transport operations with states of the former Soviet Union which are not contracting parties to the Convention concerning international carriage by rail (COTIF). The other amendments were not accepted. The common position, whilst retaining the principal objectives of harmonisation and safety, nevertheless contains a number of changes to the amended Commission proposal, particularly as regards derogations, restrictions and exemptions most of which are limited in scope. The main changes concern the following points: - the possibility to apply specific safety rules on international or national transport of dangerous goods in areas not covered by the Annex (e.g. routing of trains, special rules for transport of dangerous goods in passenger trains); - the possibility for continuation of rail transport operations between Member States and states of the former Soviet Union under equivalent conditions of safety to those in the Annex; - the possibility for certain Member States to retain, in certain cases, their national legislation with regard to: .transport of dangerous goods via the Channel Tunnel and, in future, other similar tunnels of unique construction; .operating requirements for equipment in Member States where the temperature is regularly less than -20C; .the transport of dioxins and furanes; .the possibility to transport, over short and pre-designated routes, certain dangerous goods prohibited by the Annex but forming part of a defined industrial process, under strictly controlled conditions; .transport operations strictly confined to airports and industrial sites.

Transport of dangerous goods by railway

1994/0284(SYN) - 31/05/1995 - Economic and Social Committee: opinion, report

The ESC welcomed the proposal to adapt national provisions to the international provisions in force for cross-frontier traffic, which under the RID rules already applied to 34 states that were parties to the Convention. The proposal for a directive under review was largely in keeping with the Directive on the transport of dangerous goods by road and, to correspond to this Directive [(1) Doc. COM(93)665 final - SYN 487 - OJ C 238 of 26 August 1994, page 4], the ESC expected in the near future to see a proposal for a directive from the Commission on the monitoring of the transport of dangerous goods by rail. It also urged the Commission to produce as soon as possible a draft Directive on the transport of dangerous goods by inland waterway, which was still lacking, and which would greatly facilitate intermodal transport. Finally, since the restructuring referred to by the Commission (Directive 91/440/EEC) would also give rise to differing responsibilities for the enterprises responsible for operation and those responsible for the track, the ESC considered that these different responsibilities should be addressed and defined in the Directive.

Transport of dangerous goods by railway

1994/0284(SYN) - 08/12/1995 - Commission communication on Council's position

The Commission considered that, compared with the scope of the proposed directive, the planned derogations only covered a very small segment of the transport market and that some of these derogations were limited geographically and should not therefore hamper the creation of a single rail transport market. Consequently, the Commission considered that the main objectives of harmonization and safety could still be achieved and therefore supported the common position.

Transport of dangerous goods by railway

1994/0284(SYN) - 16/04/1996 - Text adopted by Parliament, 2nd reading

In adopting the report by Mr Petrus CORNELISSEN (PPE, NL), Parliament called for measures ensuring passenger safety and the right of Member States to adopt special rules or seek derogations for transport operations of local significance or for the transport of dangerous goods on narrow-gauge, dock or mountain railways. It called for the various competent authorities to be given advance warning of any transport operation involving highly dangerous goods.