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*****I** **REPORT**

on the proposal for a directive of the European Parliament and of the Council
on the inland transport of dangerous goods
(COM(2006)0852 – C6-0012/2007 – 2006/0278(COD))

Committee on Transport and Tourism

Rapporteur: Bogusław Liberadzki

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission.)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a directive of the European Parliament and of the Council on the inland transport of dangerous goods
(COM(2006)0852 – C6-0012/2007 – 2006/0278(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2006)0852)¹,
 - having regard to Article 251(2) and Article 71 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0012/2007),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on Transport and Tourism (A6-0253/2007),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

Text proposed by the Commission

Amendments by Parliament

Amendment 1
Recital 6 a (new)

(6a) The provisions of this Directive should not apply to the transport of dangerous goods under the direct and physical responsibility or supervision 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 this Directive unless their contractual duties are exercised under the direct and physical responsibility or supervision of the armed forces.

¹ Not yet published in OJ.

Amendment 2
Recital 6 b (new)

(6b) 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 this 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 and implement this Directive in so far as rail is concerned.

Amendment 3
Recital 7 a (new)

(7a) 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 maintain or establish provisions in areas not covered by this Directive. These provisions should be specific and clearly defined.

Amendment 4
Recital 7 b (new)

(7b) Each Member State should maintain the right to regulate or prohibit the transport of dangerous goods within its territory, strictly for reasons other than safety, such as reasons of national security or environmental protection.

Amendment 5
Recital 8

(8) Means of transport registered in third countries should be allowed to perform the international transport of dangerous goods within the territories of the Member States subject to compliance with the relevant provisions of the ADR, RID or ADN.

(8) Means of transport registered in third countries should be allowed to perform the international transport of dangerous goods within the territories of the Member States subject to compliance with the relevant provisions of the ADR, RID or ADN ***and this Directive.***

Amendment 6
Recital 9

(9) Each Member State should maintain the right to regulate or prohibit, strictly for reasons other than safety, the national transport of dangerous goods. *deleted*

Justification

Moved to recital 7b.

Amendment 7
Recital 10

(10) Each Member State should be able to apply more stringent rules to national transport operations performed by **vehicles** registered or put into circulation within its territory.

(10) Each Member State should be able to apply more stringent rules to national transport operations performed by **means of transport** registered or put into circulation within its territory.

Amendment 8
Recital 11

(11) The harmonisation of the conditions applying to the national transport of dangerous goods should not prevent specific national circumstances from being taken into account. This Directive should therefore provide Member States with the possibility of granting certain derogations under certain identified conditions. Such derogations should be listed in this Directive as "**additional national provisions**".

(11) The harmonisation of the conditions applying to the national transport of dangerous goods should not prevent specific national circumstances from being taken into account. This Directive should therefore provide Member States with the possibility of granting certain derogations under certain identified conditions. Such derogations should be listed in this Directive as "**national derogations**".

Justification

As Annexes I.3, II.3 and potentially III.3 contain derogations, the wording in the heading should be corresponding to that. "Derogations" are understood to be typically temporary and less stringent. On the other hand, "provisions" are typically applicable until amended by new provisions and could be more stringent than the provisions of ADR, RID and ADN respectively.

Amendment 9
Recital 11 a (new)

(11a) In order to address unusual and exceptional situations, Member States

should have the right to issue individual authorisations allowing the transport of dangerous goods within their territory, which would otherwise be prohibited by this Directive.

Amendment 10

Recital 12

(12) In view of the level of investment required in this sector, Member States should be permitted to retain on a temporary basis certain specific national provisions concerning the construction requirements of the means of transport or equipment, transport through the Channel Tunnel *and transport between Member States and States which are parties to the Organisation for Cooperation of Railways (OSJD). Such provisions should be listed in this Directive as “additional transitory provisions”.*

(12) In view of the level of investment required in this sector, Member States should be permitted to retain on a temporary basis certain specific national provisions concerning the construction requirements of the means of transport or equipment *and transport through the Channel Tunnel. Member States should also be permitted to maintain and develop provisions for the transport of dangerous goods by rail between Member States and States which are contracting parties to the Organisation for Cooperation of Railways (OSJD) until the rules of Annex II to the Agreement concerning International Freight Traffic by Rail (SMGS) and the provisions of Annex II.1 and thereby the RID have been harmonised. Within 10 years after the entry into force of this Directive, the Commission should assess the consequences of these provisions and, if necessary, submit appropriate proposals. Such provisions should be listed in this Directive as “additional transitory provisions”.*

Amendment 11

Recital 13

(13) It is necessary to be able rapidly to adapt the Annexes to this Directive to scientific and technical progress including the development of new technologies for tracking and tracing, in particular to take account of new provisions incorporated into the ADR, RID and ADN.

(13) It is necessary to be able rapidly to adapt the Annexes to this Directive to scientific and technical progress including the development of new technologies for tracking and tracing, in particular to take account of new provisions incorporated into the ADR, RID and ADN. ***The amendments to the ADR, RID and ADN and the corresponding adaptations to the Annexes should enter into force simultaneously. The Commission should provide Member States with financial support, as appropriate, for the translation of the ADR, RID and ADN and their modifications into their official language.***

Amendment 12

Recital 14

(14) The Commission should also be able to revise the lists of ***additional national provisions*** and to decide upon the application and implementation of emergency measures in the event of accidents or incidents.

(14) The Commission should also be able to revise the lists of national ***derogations*** and to decide upon the application and implementation of emergency measures in the event of accidents or incidents.

Justification

As Annexes I.3, II.3 and potentially III.3 contain derogations, the wording in the heading should be corresponding to that. "Derogations" are understood to be typically temporary and less stringent. On the other hand, "provisions" are typically applicable until amended by new provisions and could be more stringent than the provisions of ADR, RID and ADN respectively.

Amendment 13

Recital 22 a (new)

(22a) Member States should be granted a transitional period of up to two years for the application of the provisions of this 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 should be granted for all ship and personnel certificates issued prior to or during the transitional period for the application of the provisions of this Directive in respect of inland waterways, unless a shorter period of validity is indicated in the certificate.

Amendment 14
Recital 23 a (new)

(23a) In accordance with paragraph 34 of the Interinstitutional agreement on better law-making¹, 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.

¹ OJ C 321 du 31.12.2003, p. 1.

Justification

Added provisions should improve law-making proces and monitoring implementation of this directive.

Amendment 15
Article 1, paragraph 1a (new)

1a. The provisions of Annex II.1 shall not apply to Member States which do not have a railway system, for as long as no such system is established within their territory.

Justification

Some EU Member States have no railways..

Amendment 16
Article 1, paragraph 3

3. This Directive shall not affect the Member State's right to lay down specific safety requirements for the national *or* international transport of dangerous goods within their territories, in so far as they are not covered by this Directive.

3. Member States may lay down specific safety requirements for the national *and* international transport of dangerous goods within their *territory as regards*:

(a) the transport of dangerous goods performed by vehicles, wagons and inland waterway vessels not covered by this Directive;

(b) the use of prescribed routes

(c) special rules for the transport of dangerous goods in passenger trains.

The Commission shall be informed of such provisions and it shall inform the other Member States accordingly.

Amendment 17
Article 1, paragraph 3 a (new)

3a. Member States may regulate or prohibit, strictly for reasons other than safety during transport, the transport of dangerous goods within their territory.

Application of this provision presupposes that the competent authority should provide evidence of the need for measures. Member States shall notify the Commission of additional provisions in advance. The Commission shall bring them to the attention of the Member States.

Justification

The provision concerns the scope of the directive. That is why it should be moved from

Article 5 to Article 1. Member States intending to impose transport restrictions should provide evidence of the need for measures in advance. The amendment aims to guarantee coherence with 1.9.3. and 1.9.4. RID in cases where Member States regulate or prohibit the transport of dangerous goods for reasons other than safety within their territory to assure planning reliability.

Amendment 18
Article 2, point 4

(4) 'vehicle' means any motor vehicle intended for use on the road, having at least four wheels and a maximum design speed exceeding 25 km/h, and its trailers, with the exception of vehicles which run on rails, agricultural and forestry tractors **having a maximum design speed not exceeding 40 km/h and mobile machinery**;

(4) 'vehicle' means any motor vehicle intended for use on the road, having at least four wheels and a maximum design speed exceeding 25 km/h, and its trailers, with the exception of vehicles which run on rails, **mobile machinery and** agricultural and forestry tractors **provided that they do not travel at a speed exceeding 40 km/h when transporting dangerous goods**;

Amendment 19
Article 4

The transport of dangerous goods between **Community territory** and third countries shall be authorised insofar as it complies with the requirements of ADR, RID or AND.

The transport of dangerous goods between **Member States** and third countries shall be authorised insofar as it complies with the requirements of ADR, RID or AND, **if not otherwise indicated in the Annexes**.

Justification

Community consists of Member States and has no "own territory". According to that all transport operations start or end on the territory of a Member State. Adding sentence "if not otherwise indicated in the Annexes" reflects on some transitory provisions in Annex I.2, II.2 and (potentially) III.2, which concern transport of dangerous goods.

Amendment 20
Article 5

Article 5

deleted

Restrictions for reasons other than safety during transport

Member States shall maintain the right to regulate or prohibit, strictly for reasons other than safety during transport, the

transport of dangerous goods within their territory.

Justification

This provision in fact concerns the scope of directive. That is why it should be moved from Article 5 to Article 1. Having that in mind and making directive shorter justifies proposed amendments.

Amendment 21
Article 6, paragraph 1

1. Member States may apply for reasons of transport safety more stringent provisions concerning the national transport of dangerous goods, with the exception of construction requirements, performed by **vehicles** registered or put into circulation within their territory.

1. Member States may apply for reasons of transport safety more stringent provisions concerning the national transport of dangerous goods, with the exception of construction requirements, performed by ***means of transport*** such as vehicles, trains and vessels, registered or put into circulation within their territory.

Justification

Vehicles concerns mainly road transport means, but intention is to extend this provision for all means of transport: road, rail and inland waterways.

Amendment 22
Article 7, paragraph 1

1. Member States may authorise the use of languages other than those provided for in the Annexes for transport operations performed ***solely*** within their territory.

1. Member States may authorise the use of languages other than those provided for in the Annexes for transport operations performed within their territory.

Justification

Deletion of "solely" gives a chance for more elasticity in cross border operations.

Amendment 23
Article 7, paragraph 1 a (new)

1a. Without prejudice to Article 1(2), Member States may choose not to apply the provisions of Annex III.1 until, at the latest, 30 June 2011. In this case, the Member State shall continue to apply the

provisions of Directives 96/35/EC and 2000/18/EC, as regards inland waterways, as applicable on the date referred to in Article 11.

Amendment 24

Article 7, paragraph 2, last subparagraph

The Commission shall examine in each case whether the conditions laid down in the first and second subparagraphs of this paragraph have been met and shall decide, in accordance with the procedure referred to in Article 10(2), whether to authorise the derogation and to add it to the list of **additional** national **provisions** in Annexes I.3, II.3 or III.3.

The Commission shall examine in each case whether the conditions laid down in the first and second subparagraphs of this paragraph have been met and shall decide, in accordance with the procedure referred to in Article 10(2), whether to authorise the derogation and to add it to the list of national **derogations** in Annexes I.3, II.3 or III.3.

Justification

As Annexes I.3, II.3 and potentially III.3 contain derogations, the wording in the heading should be corresponding to that. "Derogations" are understood to be typically temporary and less stringent. On the other hand, "provisions" are typically applicable until amended by new provisions and could be more stringent than the provisions of ADR, RID and ADN respectively.

Amendment 25

Article 7, paragraph 3, subparagraph 1

Derogations shall be valid for a period **of 5** years from the date of authorisation.

Derogations **under Article 7(2)** shall be valid for a period **not exceeding 6** years from the date of authorisation **to be fixed in the authorisation decision. As regards the existing derogations in Annexes I.3, II.3 and III.3, the date, as laid down in Article 11, shall be considered to constitute the date of authorisation of such derogations. If not indicated otherwise in a derogation, they shall be valid for a period of 6 years.**

Justification

Changing time period from 5 years to 6 years facilitates any deletion, amendment or addition of derogations in the Annexes I.3, II.3 and (potentially) III.3 taking into account the 2-Year-Rythm of amendments to ADR, RID and ADN. By that time limit it would be easier to Member States to set into force changes to derogations- decided by Comitology procedure- at the same dates as amendments to ADR, RID, ADN which are decided on the international level by non-

EU decision making international or intergovernmental bodies.

Amendment 26
Article 7, paragraph 4, subparagraph 2

If no amendment to Annexes I.1, II.1 or III.1 affecting the subject matter of the derogation has been adopted, the Commission shall renew the authorisation for a further period **of 5 years**.

If no amendment to Annexes I.1, II.1 or III.1 affecting the subject matter of the derogation has been adopted, the Commission, **acting in accordance with the procedure referred to in Article 10(2)**, shall renew the authorisation for a further period **not exceeding 6 years from the date of authorisation to be fixed in the authorisation decision**.

Justification

Changing time period from 5 years to 6 years facilitates any deletion, amendment or addition of derogations in the Annexes I.3, II.3 and (potentially) III.3 taking into account the 2-Year-Rythm of amendments to ADR, RID and ADN. By that time limit it would be easier to Member States to set into force changes to derogations- decided by Comitology procedure- at the same dates as amendments to ADR, RID, ADN which are decided on the international level by non-EU decision making international or intergovernmental bodies.

Amendment 27
Article 7, paragraph 4, point (c)

(c) renew the authorisation for a further period **of 5 years**.

(c) renew the authorisation for a further period **not exceeding 6 years from the date of authorisation to be fixed in the authorisation decision**.

Justification

Changing time period from 5 years to 6 years facilitates any deletion, amendment or addition of derogations in the Annexes I.3, II.3 and (potentially) III.3 taking into account the 2-Year-Rythm of amendments to ADR, RID and ADN. By that time limit it would be easier to Member States to set into force changes to derogations- decided by Comitology procedure- at the same dates as amendments to ADR, RID, ADN which are decided on the international level by non-EU decision making international or intergovernmental bodies.

Amendment 28
Article 7, paragraph 5

5. **Within its territory each** Member State may issue individual authorisations to carry out transport operations of dangerous goods which are prohibited by this

5. **Each** Member State may, **exceptionally and provided that safety is not compromised**, issue individual authorisations to carry out transport

Directive or to carry out such operations under conditions different from those laid down in this Directive, on condition that these transport operations are clearly defined and limited in time.

operations of dangerous goods ***within its territory*** which are prohibited by this Directive or to carry out such operations under conditions different from those laid down in this Directive, on condition that these transport operations are clearly defined and limited in time.

Justification

The clause proposed by the Commission is too "open" and it raises concern about potential misuse by too many national exemptions. The new wording is clarifying, that such an exemption shall be the exceptional case and that the level of safety of ADR, RID and ADN shall not be undermined.

Amendment 29 Article 8

Within their territory, Member States may maintain the provisions listed in Annexes I.2., II.2. and III.2. Member States which maintain such provisions shall inform the Commission thereof. The Commission shall inform the other Member States.

Within their territory, Member States may maintain the provisions listed in Annexes I.2., II.2. and III.2. Member States which maintain such provisions shall inform the Commission thereof. The Commission shall inform the other Member States.

Without prejudice to Article 1(2), Member States may choose not to apply the provisions of Annex III.1 until, at the latest, 30 June 2011. In this case, the Member State shall continue to apply the provisions of Directives 96/35/EC and 2000/18/EC, as regards inland waterways, as applicable on the date referred to in Article 11.

Justification

By that time limit it would be easier to Member States to set into force changes to derogations- decided by Comitology procedure- at the same dates as amendments to ADR, RID, ADN which are decided on the international level by non-EU decision making international or intergovernmental bodies.

Amendment 30 Article 11, paragraph 1, subparagraph 1

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this

Directive by **31 December 2008** at the latest. ***They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.***

Directive by **30 June 2009** at the latest.

Justification

Changing time period from 5 years to 6 years facilitates any deletion, amendment or addition of derogations in the Annexes I.3, II.3 and (potentially) III.3 taking into account the 2-Year-Rhythm of amendments to ADR, RID and ADN. By that time limit it would be easier to Member States to set into force changes to derogations at the same dates as amendments to ADR, RID, ADN which are decided on the international level by non-EU decision making international or intergovernmental bodies. The duty of communicating to the Commission the text of provisions is moved to article 3.

Amendment 31

Article 13, paragraph 1, subparagraph 1

Directives 94/55/EC, 96/49/EC, 96/35/EC, and 2000/18/EC are repealed.

Directives 94/55/EC, 96/49/EC, 96/35/EC and 2000/18/EC ***shall be repealed on 30 June 2009.***

Justification

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 June 2009. Amendment 32
Annex I, Article I.2, paragraph 3

3. Within its territory each Member State may authorise the use of pressure drums, bundles of cylinders and tanks constructed before 1 July 2007 and other receptacles constructed before 1 July 2003 which do not comply with this Directive but were constructed in accordance with the requirements applicable on the date of their construction but not later than 1 July 2005 for pressure drums, bundles of cylinders and tanks, and not later than 1 July 2001 for other receptacles, provided that such equipment is maintained to the required safety levels.

deleted

Amendment 33

Annex I, Article I.2, paragraph 6

6. Within its territory each Member State may maintain the provisions of its national

6. Each Member State may, for transport operations performed by vehicles registered

legislation in force on 31 December 1996 relating to the display or placement of an emergency action code or hazard card in place of the hazard identification number laid down in Annex I.1 to this Directive.

within its territory, maintain the provisions of its national legislation in force on 31 December 1996 relating to the display or placement of an emergency action code or hazard card in place of the hazard identification number laid down in Annex I.1 to this Directive.

Amendment 34
Annex I, Article I.2, paragraph 6 a (new)

6a. Member States may maintain national restrictions on the transport of substances containing dioxins and furans as applicable on 31 December 1996.

Amendment 35
Annex I, Article I.3, title

I.3. ***Additional national provisions***

I.3. National ***derogations***

Amendment 36
Annex II, Article II.1

II.1. Regulation concerning the International Carriage of Dangerous Goods by Rail (RID), appearing in Appendix C to the Convention concerning International Carriage by Rail (COTIF), as applicable with effect from 1 January 2009.

II.1. ***Annex to the*** Regulation concerning the International Carriage of Dangerous Goods by Rail (RID), appearing in Appendix C to the Convention concerning International Carriage by Rail (COTIF), as applicable with effect from 1 January 2009.

Amendment 37
Annex II, Article II.2, paragraph 2

2. Within its territory each Member State may authorise the use of wagons and tank wagons of gauge 1520 mm constructed before 1 July 2005 which do not comply with this Directive but were constructed in accordance with national provisions in force on 30 June 2005, provided that those wagons are maintained to the required safety levels.

2. Within its territory each Member State may authorise the use of wagons and tank wagons of gauge 1520/***1524*** mm constructed before 1 July 2005 which do not comply with this Directive but were constructed in accordance with ***Annex II to the SMGS or with that Member State's*** national provisions in force on 30 June 2005, provided that those wagons are maintained to the required safety levels.

Amendment 38
Annex II, Article II.2, paragraph 4

4. Within its territory each Member State may authorise the use of pressure drums, bundles of cylinders and tanks constructed before 1 July 2007 and other receptacles constructed before 1 July 2003 which do not comply with this Directive but were constructed in accordance with the requirements applicable on the date of their construction but not later than 1 July 2005 for pressure drums, bundles of cylinders and tanks, and not later than 1 July 2001 for other receptacles, provided that such equipment is maintained to the required safety levels.

deleted

Amendment 39
Annex II, Article II.2, paragraph 7

7. Within its territory each Member State may maintain the provisions of its national legislation in force on 31 December 1996 relating to the display or placement of an emergency action code or hazard card in place of the hazard identification number, laid down in Annex II.1 to this Directive.

7. Each Member State may, *for transport operations performed by wagons registered within its territory*, maintain the provisions of its national legislation in force on 31 December 1996 relating to the display or placement of an emergency action code or hazard card in place of the hazard identification number, laid down in Annex II.1 to this Directive.

Amendment 40
Annex II, Article II.2., paragraph 9

9. This Directive shall not affect a Member State's right to adopt regulations for its territory on the transport of dangerous goods by rail from and to those contracting parties of the Organisation for cooperation of railways (OSJD) *that are not contracting parties to the COTIF. Such regulations shall apply only to the transport of dangerous goods by rail by means of wagons authorised in a State which is not a contracting party to the COTIF.* By means of appropriate measures and obligations the Member States concerned shall guarantee the maintenance of a level of safety equivalent to that provided for in *the RID*.

9. A Member State *may maintain and develop provisions* for its territory on the transport of dangerous goods by rail from and to those contracting parties of the Organisation for cooperation of railways (OSJD). By means of appropriate measures and obligations the Member States concerned shall guarantee the maintenance of a level of safety equivalent to that provided for in *Annex II.1*.

The Commission shall be informed of such provisions and it shall inform the other

Member States accordingly.

Within 10 years after the entry into force of this Directive, the Commission shall assess the consequences of the provisions laid down in the paragraph above. The Commission shall, if necessary, submit appropriate proposals along with a report.

Amendment 41

Annex II, Article II.2, paragraph 9 a (new)

9a. Member States may maintain national restrictions on the transport of substances containing dioxins and furans as applicable on 31 December 1996.

Amendment 42

Annex III, Article III.2

III.2. Additional transitory provisions

-

III.2. Additional transitory provisions

1. Member States may maintain restrictions on the transport of substances containing dioxins and furans applicable on ... [date referred to in Article 7(1a) for transposition of the new Directive for the inland waterway part].

2. Certificates according to Chapter 8.1 of Annex III.1 issued prior to or during the transitional period according to Article 7(1a) shall be valid until 30 June 2016, unless a shorter period of validity is indicated in the certificate itself.

Amendment 43

Annex III, Article III.3, title

Additional national provisions

National *derogations*

EXPLANATORY STATEMENT

Commission Proposal

Proposal regarding this Directive is a fulfilment of the expectations of directions of simplification and unification of the European law. Volume of the inland transport in the EU is constantly increasing. Together with this increase, the volume of dangerous goods is increasing.

One of the basic duties and responsibilities of the EU is to create safe and secure conditions of living for the Europeans. This requires safety in the transport in the EU territory – including dangerous goods transport. Speeding-up turnover of goods and services requires faster and secure transport of dangerous goods. Coverage rail, road and inland waterways transport of dangerous goods in one directive may facilitate multimodalism.

These challenges were recognised globally and some specific Recommendations were adopted by the United Nations for different modes of transport (road-ADR, railway-RID and inland waterways-ADN). Prevailing majority of the EU Member States are signatories to ADR and RID. ADN is expected to enter into force soon.

At present four Directives regulate the transport of dangerous goods within the EU [94/55/EC (ADR); 96/49/EC (RID); plus 96/35/EC and 2000/18/EC regarding safety advisers]. Another four Commission Decisions grant national derogations from the framework directives (2005/263/EC, 2005/903/EC, 2005/180/EC and 2005/777/EC). The EU legislation governs only road and rail transport of dangerous goods – there are not yet EU rules for transport of dangerous goods by inland waterways.

The present Proposal is aiming at introducing international objectives of ADR, RID and ADN into national transport by the EU Member States. Some of solutions based on the UN Recommendations will be updated in the Proposal. Moreover, all three modes of transport (road, rail and inland waterways) will be governed by one act. It will better serve transport and all involved in the dangerous goods transport and all Europeans in general – supporting environmental and society safety. Transport policy of modal shift [White paper “European Transport Policy up to 2010: time to decide” (COM(2001)370)] will be enforced, costs, especially for multimodal operators, will be reduced.

Rapporteur's comments

Your Rapporteur supports in general the Commission's Proposal. However he is of the opinion, that some detailed elements of the Proposal should be precised. It concerns mainly correspondence of wording (derogations instead of provisions) and harmonisation of changing time period with 2-Year-Rythm of amendments to ADR, RID and ADN.

PROCEDURE

Title	Inland transport of dangerous goods	
References	COM(2006)0852 - C6-0012/2007 - 2006/0278(COD)	
Date submitted to Parliament	22.12.2006	
Committee responsible Date announced in plenary	TRAN 17.1.2007	
Committee(s) asked for opinion(s) Date announced in plenary	ENVI 17.1.2007	
Not delivering opinions Date of decision	ENVI 27.2.2007	
Rapporteur(s) Date appointed	Bogusław Liberadzki 6.2.2007	
Discussed in committee	7.5.2007	25.6.2007
Date adopted	26.6.2007	
Result of final vote	+: 37	-: 0
	0: 0	
Members present for the final vote	Inés Ayala Sender, Paolo Costa, Michael Cramer, Luis de Grandes Pascual, Arūnas Degutis, Christine De Veyrac, Saïd El Khadraoui, Robert Evans, Mathieu Grosch, Georg Jarzembowski, Stanisław Jałowiecki, Timothy Kirkhope, Dieter-Lebrecht Koch, Sepp Kusstatscher, Jörg Leichtfried, Bogusław Liberadzki, Erik Meijer, Robert Navarro, Willi Piecyk, Paweł Bartłomiej Piskorski, Reinhard Rack, Gilles Savary, Brian Simpson, Renate Sommer, Ulrich Stockmann, Silvia-Adriana Țicău	
Substitute(s) present for the final vote	Zsolt László Becsey, Philip Bradbourn, Luigi Cocilovo, Fausto Correia, Markus Ferber, Jeanine Hennis-Plasschaert, Elisabeth Jeggle, Anne E. Jensen, Ioan Mircea Pașcu, Leopold Józef Rutowicz, Corien Wortmann-Kool	