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Working Party on Inland Water Transport

Working Party on the Standardization of
Technical and Safety Requirements in
Inland Navigation

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agenda item 3)

**UPDATING THE EUROPEAN CODE
FOR INLAND WATERWAYS (CEVNI)**

Transmitted by the Government of Germany

Note: The secretariat reproduces below the proposals of the delegation of Germany concerning the amendment of CEVNI as contained in document TRANS/SC.3/115/Rev.2. The proposals which follow are in response to the request of the Working Party contained in the report on its twenty-second session (TRANS/SC.3/WP.3/44, paragraphs 6, 17 and 19) and concern Chapters 1 and 6 of CEVNI and annex 5.

Clear view: Article 1.07 (see TRANS/SC.3/WP.3/2001/14)

1. Article 1.07, paragraph 2

The radar device should be at the bow of the vessel for use by the helmsman. The following should therefore be added to paragraph 2 of article 1.07 (in italics):

“... this lack of visibility may be compensated for during passage by the use of flat reflector periscopes or radar apparatus; *the radar apparatus shall be placed in the bow of the vessel.*”

2. Article 1.07, paragraph 4

For greater clarity, the following should be added to article 1.07, paragraph 4 (b) and (c) (in italics):

“(b) for vessels with a width of 9.50 m or more *but less than 11.00 m*, when the containers are loaded in more than two layers;

(c) for vessels with a width of 11.00 m or more when the containers are loaded in more than three layers or over more than three widths and more than two layers.”

Radar: Article 4.05 (see TRANS/SC.3/WP.3/44, Annex)

3. Radar equipment

In inland navigation, the restricted spatial conditions of narrow waterways require special radar equipment. In view of the risk of radar clutter affecting other navigational and operating systems, administrative type approval is required for such equipment.

The three-tone signal could be abandoned in view of the obligation for vessels in reduced visibility to use radar, to contact other vessels by radio telephone and to agree on the course to take (new article 6.30).

It is therefore proposed that the text should be amended to read (in italics):

“1. Vessels may not use radar unless:

(a) they are fitted with radar equipment *adapted to the needs of inland navigation* and a rate-of-turn indicator. *This equipment shall be in proper working order and of a type approved for the needs of inland navigation in accordance with the requirements of the competent authorities concerned.* However, ferry boats not moving independently shall not be required to be fitted with a rate-of-turn indicator.

(b) a person holding a certificate of aptitude *to use radar* in accordance with the requirements of the competent authorities is on board. Notwithstanding the

provisions of article 1.09, paragraph 2, the radar may be used for training purposes in good visibility by day *and by night*, even when there is no such person on board.

(c) they are equipped with a system for the emission of the three- tone signal with the exception of small craft and ferry boats. However, the competent authorities may not prescribe such a system.

Small craft shall also be equipped with a radio telephone in proper working order for the ship-to-ship network.”

High-speed vessels: (see TRANS/SC.3/WP.3/2001/14; TRANS/SC.3/WP.3/44)

4. Obligation to give way: article 6.01 (a)

It is proposed in article 6.01 (a) to delete the list of examples of high-speed vessels and to insert it in article 1.01 (cc). A further addition should be made to the definition of high-speed vessel by making it obligatory to mention the characteristic of “high speed” in the inspection certificate. Otherwise the competent authorities will have difficulty in determining whether a vessel should comply with the special provisions applicable to high-speed vessels or not. This could lead to major risks for the safety of shipping since it would not be apparent what provisions should be complied with and executive bodies would not be in a position to monitor compliance with the requirements.

It is therefore proposed to amend the text as follows (in italics):

Article 1.01 (cc):

“(cc) the term “high-speed vessel” means a motorized vessel, with the exception of small craft, capable of travelling on water at a speed greater than 40 km/h (*for example, a hydrofoil, hovercraft or multi-hull vessel*) when this is stated in its inspection certificate;”

Article 6.01 (a):

“High-speed vessels are required to leave all other vessels enough room to hold their course and to manoeuvre; they may not require such vessels to give way to them.”

5. Small craft: article 6.02

In article 6.02, paragraph 2, the square brackets and the reference to article 6.01 should be removed since the definition of the term “high-speed vessel” in paragraph (cc) of article 1.01 clarifies which vessels are considered to be “high speed” vessels. The text should therefore read:

“Where the provisions of this chapter provide that a particular rule of the road shall not apply to small craft in relation to other vessels, it shall be incumbent on small craft to leave all other vessels, except for high-speed vessels, enough room to

hold their course and to manoeuvre; they may not require such vessels to give way to them.”

6. Steering: article 1.09, paragraph 4

It is not sufficient for the person in charge of the safe piloting of the vessel to be “generally” competent. Such a person must rather provide proof of the particular aptitude required to steer safely the vessel for which he is responsible. This depends in particular on the dimensions (length and width of cargo vessels or length and number of passengers for passenger vessels) of the vessel in question. In this context, account must also be taken of the special local circumstances of the waterway which may differ considerably according to whether it is a canal or an open section of waterway.

The first sentence of paragraph 4 of article 1.09 should therefore be amended as follows (in italics):

“4. When under way, all high-speed vessels shall be steered by a person holding the diploma required by the competent authorities confirming his aptitude to steer *the category of vessel steered by him on the section of the inland waterway travelled and the certificate referred to in article 4.05, paragraph 1 (b)...*”

7. Unrestricted view forward of “high-speed vessels”

It has not been deemed necessary to include a provision concerning the unrestricted view forward of “high-speed vessels.” It is intended to reduce the risk of, for example, not seeing a swimmer in front of the “high-speed vessel” by obligatorily having two licence-holders simultaneously in the wheelhouse, both of whom are responsible for the safe navigation of the vessel. The proposed addition to article 1.09, paragraph 4, whereby the helmsman must hold a valid diploma for the section travelled, takes effect here. The helmsman, who knows the local circumstances of the sections to be travelled, is aware of any special risks that he may encounter there (for example, the fact that there are swimmers).

8. Scintillating yellow lights: article 3.08, paragraph 5 and annex 5

The introduction of the marking of high-speed vessels by “two strong, rapid, scintillating yellow lights” is welcomed. The table in annex 5 of CEVNI should therefore be amended as follows (in italics):

Working luminous intensities I_B and range t of vessel lights ¹

Colour of signal light	Nature of signal light					
	Ordinary		Bright		Strong	
	I_B in cd	t in km	I_B in cd	t in km	I_B in cd	t in km
White	2-4*	2.3-3.0*	9-25	3.9-5.3	35-100	5.9-7.7
Red or Green	0.9-5	1.7-3.2	3.5-20	2.8-5.0	-	-
Yellow	0.8-2.4	1.6-2.5	3.6-15	2.9-4.6	35-100	5.9-8.0
Blue	$\geq 1^*$	$\geq 1.8^{**}$	-	-	-	-

Article 1.01 (t) of CEVNI defines “scintillating light” as a rhythmic light flashing 50-60 times per minute. High-speed vessels must be marked by a “rapid scintillating light.” In order to satisfy this requirement, the proposal by the Netherlands should be adopted, providing for a rhythm of 100-120 times a minutes. This corresponds to the requirements applicable on the Rhine.

9. Prohibition of navigation at night

In view of the excellent manoeuvrability of high-speed vessels, the presence in the wheelhouse of two diploma-holders (article 1.09, paragraph 4), the obligation to use radar (article 4.05, paragraph 3) and the specific radar system adapted to inland waterways (article 4.05, paragraph 1(a)), there is no reason to prohibit night navigation of high-speed vessels.

Navigation in reduced visibility (see TRANS/SC.3/WP.3/44, Annex)**10. General requirements: article 6.30****(a) Use of radar: article 6.30, paragraph 1**

Since this happens to be a “general requirement” it should be stressed once again that, in reduced visibility, only vessels equipped with radar and radio telephone systems and making use of such systems are permitted to proceed.

The following text is therefore proposed (in italics):

“In reduced visibility and notwithstanding the provisions of article 6.3 3, only vessels equipped with a radio telephone system according to article 4.04 and a radar system according to article 4.05 are permitted to proceed. They shall use the radio telephone and the radar systems.”

¹ Note by the secretariat: In the present text of CEVNI, the table is presented with a different layout and contains minimum and maximum values for I_O , I_B and t , which sometimes differ from those proposed by the delegation of Germany in the table presented above.

(b) Radio telephony: article 6.30, paragraph 2

The obligation to put the radio telephone system on listening watch should be added to the general requirements. Article 6.30, paragraph 2 would therefore read (amendments in italics):

“Vessels under way in reduced visibility shall adjust their speed as required by the reduced visibility and the presence and movements of other vessels and local circumstances. *The radio telephone system shall be placed on listening watch on the channel allocated to the ship-to-ship network and they shall use the radio telephone to give other vessels the necessary information for safety.*”

(c) Meeting port to port: article 6.30, paragraph 4

It is deemed dangerous to prescribe meeting port to port in reduced visibility in sectors where, in good visibility, this is not the usual practice. Vessels are obliged to depart from usual practice in particularly difficult conditions of reduced visibility. This results in additional risks for the safety of navigation since boat masters do not have the necessary experience.

The provisions of paragraph 4 in article 6.30 should therefore be deleted.

1. Navigation by radar: article 6.32

In this text it should be specified that the diploma required must be valid for the vessel piloted by the holder and for the section to be travelled. The square brackets should therefore be removed.

In order to clarify with whom the meeting procedure has to be agreed, the following should be added to the wording of paragraph 4 of article 6.32 (in italics):

“4. As soon as the vessel proceeding downstream observes on the radar screen a vessel whose position or course may cause a dangerous situation and which has not established contact by radio telephone, the vessel proceeding downstream shall draw the attention of this vessel to the dangerous situation by radio telephone and agree *with that vessel* on a procedure for passing.”

Since the obligation to give way applicable to small craft is also valid in reduced visibility, it should be clarified that the obligation to agree on a passing procedure is not applicable to them. In addition, small craft must also always reply by giving their name etc., this is a fundamental rule of radio telephony so that there is no need for an explicit repetition for small craft.

Paragraph 6 of article 6.32 should therefore be amended to read (in italics):

“6. Any vessel navigating by radar and called by radio telephone shall reply by radio telephone, giving its category, name, direction and position. It shall then

agree on a passing procedure with the oncoming vessel; a small craft, however, shall only indicate on which side it is giving way.”

Vessels not navigating by radar: article 6.33 (see TRANS/SC.3/WP.3/44, Annex)

12. Proceeding to berthing areas: article 6.33, paragraph 1

In the interests of the safety of other vessels, the first sentence should be made more specific by adding the restriction that vessels should only continue under way to the nearest appropriate berthing area.

Since the obligation is addressed to vessels, the second sentence should explicitly mention this. The text would then read (amendment in italics):

“1. In reduced visibility, vessels and convoys unable to use radar shall immediately proceed *to the first appropriate berthing area located in the direction of navigation. They shall comply with the following provisions during the voyage to this area.*”

13. “Fog-signal”: article 6.33, paragraph 1 (b)

The term “fog-signal” should be deleted since this sound signal should also be given in reduced visibility caused not by fog but by dense snow or rain. The word “fog” should therefore be deleted from the text.
