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INLAND TRANSPORT COMMITTEE

Working Party on the Transport of Dangerous Goods
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LANGUAGE OF THE TRANSPORT DOCUMENT (5.4.1.4.1 ADR)

Transmitted by the Government of Austria

SUMMARY

Executive summary:

The current text of 5.4.1.4.1 second subparagraph ADR on the language to be used for the particulars to be entered in the transport document is unnecessarily restrictive and differs considerably from the corresponding text adopted for the RID to enter into force in 2005. In order to provide adequate flexibility in particular for combined road-rail transport 5.4.1.4.1 should be amended.

Action to be taken:

Amend 5.4.1.4.1 second subparagraph ADR.

Related documents:

Report and adopted texts of the RID Expert Committee of autumn 2003.

Introduction:

5.4.1.4.1 second subparagraph ADR reads, in the current version, as follows:

“The particulars to be entered in the document shall be drafted in an official language of the forwarding country, and also, if that language is not English, French, or German, in English, French or German, unless international road carriage tariffs, if any, or agreements concluded between the countries concerned in the transport operation, provide otherwise.”

At the meeting of the RID Expert Committee in autumn 2003, based on a proposal by the CIT the following text for the corresponding provision of 5.4.1.4.1 RID was adopted:

"The consignment note shall be filled out in one or more languages, one of which shall be French, German or English."

This text whilst preserving, in principle, the requirement for the particulars to be entered in English, French, or German allows for more flexibility with regard to additional languages. Thus, on the one hand, the situation for personnel engaged in monitoring or in emergency response activities which also at present have to be prepared, in international transport, to read transport documents drawn up in another language than their mother tongue but always at least in English, French, or German remains unchanged. On the other hand, it is still possible to enter the particulars in additional languages in cases where this may be necessary for reasons beyond the scope of ADR (e.g. national legislation).

Furthermore, it seems justified to provide a special provision for transports where the whole journey is performed solely within an area in which a certain language is official language i.e. where it can be expected that all personnel engaged in monitoring or in emergency response activities understand that same language.

It is also proposed to keep the exception in the current text with regard to “international road carriage tariffs, if any, or agreements concluded between the countries concerned in the transport operation”, although the meaning of the reference to “tariffs” seems rather unclear.

Proposal:

5.4.1.4.1 Amend the second sub-paragraph to read as follows:

“The particulars to be entered in the document shall be drafted in one or more languages. One of these languages shall be English, French or German, unless:

- (a) international road carriage tariffs, if any, or agreements concluded between the countries concerned in the transport operation, provide otherwise or,
- (b) carriage accompanied by the document is performed only on territories, regions or parts of territories where the language used in the document is an official language.".

Justification:

Safety No problems since the requirement to have a text at least in English, French or German remains unchanged, unless a language is used that is understood at any place where the transport operation is performed.

Feasibility, Enforceability No problems.
