



Economic Commission for Europe**Inland Transport Committee****Working Party on the Transport of Dangerous Goods****Joint Meeting of the RID Committee of Experts and the
Working Party on the Transport of Dangerous Goods**

Geneva, 19-29 September 2017

Item 6 of the provisional agenda

Interpretation of RID/ADR/ADN**Implications of 1.8.1 for the competent authorities****Transmitted by the Government of France* ******Introduction**

1. At the last session of the Joint Meeting, the question of the implications of 1.8.1 for the competent authorities was raised (see the report, ECE/TRANS/WP.15/AC.1/146, paras. 17-20). It was noted that the situation of ADN differed from that of RID and ADR because article 4 (3) of the agreement clarified obligations in respect of checks.
2. Some delegations expressed the idea that a similar text could be useful in RID and ADR. France believes that this would indeed clarify matters, as it has for ADN. However, amending the agreements themselves is complicated. It would clearly be easier to amend RID and ADR 1.8.1.
3. While this is not a proposed amendment in the strict sense of the word, France is submitting this document, which contains proposed wording for 1.8.1 containing such a text, to allow the Joint Meeting to revisit the issue.

1.8.1 would be worded as follows (new text underlined):**“1.8.1 Administrative controls of dangerous goods**

1.8.1.1 Observance of the prohibitions and the conditions referred to in [RID/ADR] shall be monitored by the competent authorities of the [States parties to RID/Contracting Parties].

1.8.1.2 The competent authorities of the [States parties to RID/Contracting Parties] may, on their national territory, at any time, conduct spot checks to verify

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whether the requirements concerning the carriage of dangerous goods have been met including, in accordance with 1.10.1.5, those concerning security measures.

These checks shall, however, be made without endangering persons, property or the environment and without major disruption of road services.

- 1.8.1.3 Participants in the carriage of dangerous goods (Chapter 1.4) shall, without delay, in the context of their respective obligations, provide the competent authorities and their agents with the necessary information for carrying out the checks.
- 1.8.1.4 The competent authorities may also, for the purposes of carrying out checks on the premises of the enterprises participating in the carriage of dangerous goods (Chapter 1.4), make inspections, consult the necessary documents and remove samples of dangerous goods or packagings for examination, provided that safety is not jeopardized thereby. The participants in the carriage of dangerous goods (Chapter 1.4) shall also make the vehicles or parts of vehicles and the equipment and installations accessible for the purpose of checking where this is possible and reasonable. They may, if they deem necessary, designate a person from the enterprise to accompany the representative of the competent authority.
- 1.8.1.5 If the competent authorities observe that the requirements of ADR have not been met, they may prohibit a consignment or interrupt a transport operation until the defects observed are rectified, or they may prescribe other appropriate measures. Immobilization may take place on the spot or at another place selected by the authorities for safety reasons. These measures shall not cause a major disruption in road services.”
