



## Economic and Social Council

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### Economic Commission for Europe

#### Inland Transport Committee

#### Working Party on the Transport of Dangerous Goods

##### Eighty-eighth session

Geneva, 3–7 May 2010

Item 6 (c) of the provisional agenda

##### Proposals for amendments to annexes A and B of ADR

##### New proposals

### Driver training

#### Transmitted by the Government of Switzerland\*

##### *Summary*

**Executive summary:** ADR does not govern refresher training taken earlier than one year before a certificate expires.

**Action to be taken:** Include provisions setting out conditions for extending the validity of an ADR certificate when refresher training is taken before the fourth year of validity.

**Related documents:** ECE/TRANS/WP.15/203

\* The present document is submitted in accordance with paragraph 1 (c) of the terms of reference of the Working Party, as contained in document ECE/TRANS/WP.15/190/Add.1, which provides a mandate to “Develop and update the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR)”.

## Introduction

1. For reasons unrelated to the provisions for the transport of dangerous goods, some drivers recently expressed the desire to take ADR refresher courses before the fourth year of validity, covered by 8.2.1.5. There is apparently no justification to deny such a request in the current 8.2.1.5, which merely stipulates that persons taking refresher courses during the year before expiry of the certificate have the right to extend their certificates from the expiry date. Subsection 8.2.1.5 does not prohibit taking courses ahead of time. The only question that may arise is the duration of validity of the new certificate. The current texts make it clear that it cannot be longer than five years.
2. Having studied the texts of 8.2.2.8.2 as proposed in annex I to the report of the meeting held in November 2009 (ECE/TRANS/WP.15/203) and having heard the views of some delegations at that meeting concerning the possibility of holding refresher courses at times other than the year preceding expiry of the ADR certificate, covered by 8.2.1.5 (new 8.2.2.8.2), we believe the Working Party should clarify this question. At the November session we understood that some delegations considered that refresher courses should not be held outside of the framework set by current 8.2.1.5 (new 8.2.2.8.2). We would like to know what reasons would be cited to block such a possibility.
3. On the contrary, given how often the regulations change, it should be recommended to hold refresher courses at shorter intervals than the five-year validity of the certificate. However, in such a case, if the training takes place outside the framework set by 8.2.2.8.2, the driver should no longer be able to extend the certificate from the time when it expires. The validity should be set as a function of the date when the examination is passed.
4. We would like to ascertain whether this opinion is shared by the Working Party, in which case an addition must be made to ADR, as ADR does not currently address such a possibility.

## Proposal

5. Replace the second paragraph of 8.2.2.8.2 with the following text:
  - “The certificate shall be renewed if the driver furnishes proof of participation in refresher training in accordance with 8.2.2.5 and has passed an examination in accordance with 8.2.2.7.3 in the following cases:
    - “In the twelve months before the date of expiry of the certificate. The competent authority shall issue a new certificate, valid for five years, the period of validity of which shall begin with the date of expiry of the previous certificate.
    - “Prior to the twelve months before the date of expiry of the certificate. The competent authority shall issue a new certificate, valid for five years, the period of validity of which shall begin with the date on which the examination was passed.”

## Justification

6. Drivers should take courses more frequently than every five years. To ensure that drivers have sufficiently up-to-date knowledge, the maximum interval for taking refresher courses should remain five years. Renewal of the certificate, when the training takes place before the fourth year of validity, should be set from the moment the examination is passed, and not from the expiry date of the certificate.

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