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PROPOSALS FOR AMENDMENTS TO ANNEXES A AND B OF ADR

CHAPTER 8.2

**REQUIREMENTS CONCERNING THE TRAINING OF
THE VEHICLE CREW**

Transmitted by the Government of Liechtenstein

Introduction

The Government of Liechtenstein has doubts concerning existing provisions on the training of the drivers of vehicles carrying dangerous goods, as set out in Chapter 8.2. These provisions are no longer up to date and no longer comply with the current safety standards to which we all aspire for the transport of dangerous goods. The Government of Liechtenstein is of the opinion that the provisions of subsections 8.2.1.1 and 8.2.1.5 in particular urgently need to be reworded. In addition, some texts of the subsections of 8.2.2.5 are not clear and their content is not in line with practice, particularly the texts of subsections 8.2.2.5.1, 8.2.2.5.2 and 8.2.2.5.3. These texts are confusing and misleading to the user. The Government of Liechtenstein proposes their amendment, in the first place to obviate differences of interpretation in the future and secondly, to ensure the highest possible level of safety in the transport of dangerous goods.

Proposal

Existing text in subsection 8.2.1.1:

“Drivers of vehicles with a permissible maximum weight exceeding 3.5 tonnes carrying dangerous goods, drivers of vehicles referred to in 8.2.1.3 and drivers of other vehicles referred to in 8.2.1.4 shall hold a certificate issued by the competent authority or by any organization recognized by that authority stating that they have participated in a training course and passed an examination on the particular requirements that have to be met during carriage of dangerous goods.”

Amendment of the existing text of subsection 8.2.1.1 to read:

“Regardless of the permissible maximum weight of the vehicle carrying dangerous goods, drivers of vehicles referred to in 8.2.1.3 and drivers of other vehicles referred to in 8.2.1.4 shall hold a certificate issued by the competent authority or by any organization recognized by that authority stating that they have participated in a training course and passed an examination on the particular requirements that have to be met during carriage of dangerous goods.”

Existing text of subsection 8.2.1.5:

“By means of appropriate endorsements on his certificate made every five years by the competent authority or by any organization recognized by that authority, a vehicle driver shall be able to show that he has in the year before the date of expiry of his certificate completed a refresher training course and has passed corresponding examinations. The new period of validity shall begin with the date of expiry of the certificate.”

Amend the existing text of subsection 8.2.1.5 to read:

“By means of appropriate endorsements on his certificate made every ~~five~~ three years by the competent authority or by any organization recognized by that authority, a vehicle driver shall be able to show that he has in the year before the date of expiry of his certificate completed a refresher training course and has passed the corresponding examinations. The new period of validity shall begin with the date of expiry of the certificate.”

Note: Existing certificates and those established before 1 January 2005 are not subject to these provisions. The certificate is to be renewed for periods of three years after this date.

Existing text of subsection 8.2.2.5.1:

“Refresher training courses undertaken at regular intervals serve the purpose of bringing the drivers’ knowledge up to date; they shall cover new technical, legal and substance-related developments.”

Amendment of the text of subsection 8.2.5.5.1 to read:

“Refresher training ~~courses~~ undertaken at regular intervals serves the purpose of bringing the drivers’ knowledge up to date; ~~they~~ it shall cover new technical, legal and substance-related developments.”

Existing text of subsection 8.2.2.5.2:

“Refresher courses shall have been completed before the period referred to in 8.2.1.5 has expired.”

Amendment of the text of subsection 8.2.2.5.2:

“Refresher ~~courses~~ training shall have been completed before the period referred to in 8.2.1.5 has expired.”

Existing text of subsection 8.2.2.5.3:

“The duration of each refresher course shall be of at least one day.”

Amendment of the text of subsection 8.2.2.5.3 to read:

“The duration of ~~each~~ the refresher ~~course~~ training shall be of at least one day.”

Note: The word “course” may be deleted since it is not in the plural (several courses). It is more practical to use “refresher training” on its own and there is no risk of misinterpretation.

Justification of the proposal by the Government of Liechtenstein

The Government of Liechtenstein justifies its proposal as follows. It is not possible for drivers to carry dangerous goods without any knowledge of the instructions on the subject. This would drastically affect the safety of road traffic. If drivers have never received the necessary training, how can they know what a transport document is, what the instructions in writing are, what prohibitions exist on mixed loading or what provisions exist for precautions concerning foodstuffs, other articles of consumption, animal feeds or stowage?

Liechtenstein’s domestic legislation (VTGGS) and that of Switzerland (SDR) prescribes training for the crew when the limits set out in the table in 1.1.3.6.3 are exceeded, regardless of the permissible maximum weight.

It can be imagined that two vehicles carrying dangerous goods might find themselves side by side during an ADR check in Liechtenstein. The permissible maximum weight does not exceed 3.5 tonnes in the case of either vehicle. The first is registered in Liechtenstein, the second in Germany. The driver of the vehicle from Liechtenstein must carry an ADR certificate, but not his German colleague. Where is the logic in this and the concern for safety?

The Government of Liechtenstein is therefore in favour of shorter intervals for refresher training for drivers carrying dangerous goods. Practice shows that intervals of five years mean too slow a rate both for drivers and instructors. The requirements of ADR will be revised twice during that period. It is practically impossible to update the drivers' knowledge in a single day.

There is also a contradiction in the requirements of ADR as it stands, in subsection 8.2.2.5.1: "Refresher training courses undertaken at regular intervals serve the purpose of bringing the drivers' knowledge up to date; they shall cover new technical, legal and substance-related developments." For the Government of Liechtenstein, "regular intervals" means refresher training for drivers every three years.

In its proposal, the Government of Liechtenstein further bases itself on what the drivers themselves say when they assert that a five-year interval is certainly too long and that it would be more sensible to reduce it to three years. It will be easier for instructors to update the drivers' knowledge on the basis of this new requirement. Spreading the training over two or three days would not be reasonable in terms of safety, nor where the drivers are concerned, nor from an economic standpoint.

The Government of Liechtenstein therefore proposes mandatory training for drivers carrying dangerous goods regardless of the permissible maximum weight of their vehicle. In addition, it is in favour of shortening the interval between refresher training courses from five years to three. The refresher training should be limited to a single day.
