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**COMMITTEE OF EXPERTS ON THE TRANSPORT OF
DANGEROUS GOODS AND ON THE GLOBALLY
HARMONIZED SYSTEM OF CLASSIFICATION
AND LABELLING OF CHEMICALS**

Sub-Committee of Experts on the
Transport of Dangerous Goods

Thirty-first session
Geneva, 2-6 July 2007
Item 6 of the provisional agenda

**MISCELLANEOUS PROPOSALS OF AMENDMENTS TO THE MODEL REGULATIONS
ON THE TRANSPORT OF DANGEROUS GOODS**

Provisions concerning training

Transmitted by the expert from Sweden

SUMMARY

Executive summary:	This proposal seeks to amend some provisions in 1.3 and 1.5.2 to clarify that persons <u>shall have received</u> training before they carry out their duties. It is not sufficient that persons shall receive training sometime in the future.
Action to be taken:	Amend 1.3.1, 1.3.2 and 1.5.2.7.
Related documents:	ECE/TRANS/WP.15/AC.1/2007/5

Introduction

1. According to the existing provisions in 1.3.1, persons who are engaged in the transport of dangerous goods **shall receive** training in the contents of dangerous goods commensurate with their responsibilities. The aim of this provision is very desirable. However, the way the provision is drafted today, creates problems in Sweden.

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2. During enforcement, the Swedish police discovered a company which did not comply with the provision in 1.3.1 in the ADR. The text in ADR is very similar to the text in 1.3.1 in the UN Recommendations. The case was forwarded to trial where a sentence was passed that stated that it is sufficient for the company to promise that the persons shall receive training sometime in the future. To summarize, persons whose duties entail transport of dangerous goods need not actually have received training as long as they state they will receive training in the future. The expert from Sweden is of the opinion this is not the intent of the training provisions.

3. The expert from Sweden proposes to make minor changes to the provisions in Chapter 1.3 and in 1.5.2.

4. It is proposed that 1.3.1, 1.3.2 and 1.5.2.7 should follow the structure used in section 8.2.3 in the ADR, which reads as follows:

“8.2.3 Training of persons other than the drivers holding a certificate in accordance with 8.2.1, involved in the carriage of dangerous goods by road

Persons whose duties concern the carriage of dangerous goods by road *shall have received* training in the requirements governing the carriage of such goods appropriate to their responsibilities and duties according to Chapter 1.3...”.

Proposal

5. Amend the present text of 1.3.1, 1.3.2 and 1.5.2.7 as follows (change; shown in bold and underlined):

“1.3.1 Persons engaged in the transport of dangerous goods **shall have received** training in the contents of dangerous goods requirements commensurate with their responsibilities. Training requirements specific to security of dangerous goods in Chapter 1.4 shall also be addressed.

1.3.2 Individuals such as those who classify dangerous goods; pack dangerous goods; mark and label dangerous goods; prepare transport documents for dangerous goods; offer or accept dangerous goods for transport; carry or handle dangerous goods in transport; mark or placard or load or unload packages of dangerous goods into or from transport vehicles, bulk packagings or freight containers; or are otherwise directly involved in the transport of dangerous goods as determined by the competent authority; **shall have received** the following training:

(a) *General awareness/familiarization training:*

(i) Each person **shall have received** training designed to provide familiarity with the general provisions of dangerous goods transport requirements;

(ii) ... (*no changes*)

(b) *Function-specific training:* Each person **shall have received** detailed training concerning specific dangerous goods transport requirements which are applicable to the function that person performs;

- (c) *Safety training*: Commensurate with the risk of exposure in the event of a release and the functions performed, each person **shall have received** training on:

(i)-(iv) ... (*no changes*)

1.5.2.7 Workers **shall have received** appropriate training concerning the radiation hazards involved and the precautions to be observed in order to ensure restriction of their exposure and that of other persons who might be affected by their actions.”.

Justification There is a need to clarify that it is not sufficient that persons shall receive training sometime in the future.

Safety: No safety implication.

Feasibility: No extra cost nor negative practical implication.

Enforceability: The enforceability will be simplified.
