



## ● 50<sup>th</sup> Anniversary of ADR

# ADR in the EU: Future Challenges



EUROPEAN  
COMMISSION

Directorate-General  
for Energy  
and Transport

Andrea Pearson

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COUNCIL DIRECTIVE 94/55/EC  
of 21 November 1994

on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road

THE COUNCIL OF THE EUROPEAN UNION,

transport equipment; whereas in order to overcome that obstacle uniform rules applicable to all intra-Community transport should be defined;

Having regard to the Treaty establishing the European Community, and in particular Article 75 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(2)</sup>,

Acting in accordance with the procedure laid down in Article 189c of the Treaty <sup>(3)</sup>,

(1) Whereas, over the years, both the national and the international transport of dangerous goods by road have significantly increased, adding to the dangers in the event of an accident;

(2) Whereas all Member States except Ireland are Contracting Parties to the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR), the geographical scope of which extends beyond the Community and which lays down uniform rules for the safe international transport of dangerous goods by road; whereas it is consequently desirable that such rules be extended to cover national traffic in order to harmonize across the Community the conditions under which dangerous goods are transported by road;

(3) Whereas no Community legislation embraces the full range of measures required to ensure the safe transport of dangerous goods and the relevant national measures vary from one Member State to another; whereas those divergences are an obstacle to the free provision of transport services and, moreover, to the free movement of vehicles and

(4) Whereas an action of this nature must be carried out at Community level to ensure consistency with other Community legislation, to ensure a satisfactory degree of harmonization to facilitate the free movement of goods and services and to ensure a high level of safety for national and international transport operations;

(5) Whereas the provisions of this Directive are without prejudice to the commitment entered into by the Community and its Member States, in accordance with the goals set under Agenda 21, Chapter 19, at the UnCED conference of June 1992 in Rio de Janeiro, to strive for the future harmonization of systems for the classification of dangerous substances;

(6) Whereas no specific Community legislation yet governs the safety conditions under which biological agents and genetically modified micro-organisms, regulated under Council Directives 90/219/EEC <sup>(4)</sup>, 90/220/EEC <sup>(5)</sup> and 90/679/EEC <sup>(6)</sup>, should be transported;

(7) Whereas this Directive takes account of other Community policies in the fields of worker safety, vehicle construction and environmental protection;

(8) Whereas the Member States remain free to regulate any operation for the transport of dangerous goods carried out within their territory by a vehicle not covered by the Directive regardless of where the vehicle is registered;

(9) Whereas the Member States must be able to apply specific road-traffic regulations to the transport of dangerous goods within their territories;

<sup>(1)</sup> OJ No C 17, 20. 1. 1994, p. 6.

<sup>(2)</sup> OJ No C 195, 18. 7. 1994, p. 15.

<sup>(3)</sup> European Parliament opinion of 3 May 1994 (OJ No C 205, 25. 7. 1994, p. 54), Council common position of 19 September 1994 (OJ No C 301, 27. 10. 1994, p. 25) and European Parliament decision of 17 November 1994 (not yet published in the Official Journal).

<sup>(4)</sup> OJ No L 117, 8. 5. 1990, p. 1.

<sup>(5)</sup> OJ No L 117, 8. 5. 1990, p. 15.

<sup>(6)</sup> OJ No L 374, 31. 12. 1990, p. 1.

• It all began in 1994 with Council Directive 94/55 . . .

- Framework of EU law
- Domestic transport
- National derogations

. . . then came Commission Directives :

1996/86, 1999/47, 2001/7, 2002/886, 2003/28, 2004/111, 2006/89,

and Commission Decisions: 2005/263, 2005/903, 2007/447,

and European Council and European Parliament Directives: 2000/61.



# ● Legislation from 2009

- Multi modal land transport - AD N for the first time,
- Easier to understand criteria for derogations,
- More transparent structure for existing derogations,
- Closer alignment with ADR,
- No obsolete provisions, repeal of outdated directives,
- Retain existing transitory measures,
- Translations of international agreements?
- Adoption January 2008 (?)  
for application on 1 July 2009



## ● Future Challenges

- Minimise EU legislation: Road Checks legislation?
- Topic specific studies: HCDG;
- Include technical provisions in ADR: EU Action Plan on Explosives, Telematics;
- Derogations: minimise and discourage;
- Aligning other EU legislation with ADR;



## Contact Details:



- Ms Andrea Pearson  
EUROPEAN COMMISSION  
ENERGY and TRANSPORT DG  
Directorate J Security- Protection of persons, of the assets and  
the facilities  
Unit J3 Security of land transport & protection of critical  
infrastructures  
Office: DM24-7/148 - B1049 Brussels  
Tel. +32-2-(29)6.80.06  
Fax. +32-2-(29)5.26.97  
[Andrea.pearson@ec.europa.eu](mailto:Andrea.pearson@ec.europa.eu)

