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Working Party on the Transport of Dangerous Goods

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Agenda item 6 (a) of the provisional agenda

Proposals for amendments to annexes A and B of ADR: pending issues

Comments on document INF.4 E Chapter 8.2 – driver's training

Transmitted by the government of Switzerland

8.2.1.3

The last sentence of this paragraph saying "These restricted tank specialization training courses shall not be provided for drivers of vehicles referred to in 8.2.1.4." doesn't seem to reproduce what is really meant.

For what reason drivers having a specialization in class 1 or 7 would not be allowed to follow a restricted tank specialization training course is not understandable. Those drivers have a basic training plus specialization training. If however a driver has only a basic training he is allowed to follow a restricted tank specialization training course. There is no logic in the system.

Instead we believe the intention was to forbid the existence of restricted tank specialization training courses for class 1 or 7. If this is the case then the sentence should read as follows:

"Restricted tank specialization training courses for class 1 or class 7 are not permitted."

It seems we don't want restricted training for class 1 and 7 in case of tank carriages.

From the discussions in November it was not clear if we do accept restricted training for class 1 and 7 in the case of carriage of packages at all?

If not, it should be said. In order to have coherence with what we have decided for tank specialization training courses for class 1 and class 7, the restricted specialization training courses should be forbidden as a general rule.

In that case text could be added in 8.2.1.3 at the end of the penultimate sentence by adding: ", except for class 1 and 7.":

If however we only forbid restricted training for class 1 and 7 in the case of tanks it will be allowed for the case of packages.

It would however be very disturbing to have from one side drivers having followed the whole set of training for all other classes (basic training) plus a normal specialization for class 1 or 7 (or both), and on the other hand drivers having followed only a restricted basic training for class 1 or class 7 (or both classes alone) and a restricted specialization training for class 1 or 7 or both classes alone). Both kind of drivers (the "normal" drivers and the "restricted" drivers) reaching the same level of ADR certificate, that is a certificate

with the specialization for class 1 or class 7 (or both classes). We don't think this was the purpose of the set of rules for restricted trainings.

8.2.2.2

The change proposed in the fourth row of 8.2.2 deleting "with the approval, on" has not been discussed before.

8.2.2.2 *The training ~~body provider~~ shall ensure that the training instructors have a good knowledge of, and take into consideration, recent developments in regulations and training requirements relating to the carriage of dangerous goods. The training shall be practice-related. The training programme shall conform ~~with the approval, on~~ to the subjects set out in 8.2.2.3.2 to 8.2.2.3.5. The ~~initial training and refresher~~ training shall also include individual practical exercises (see 8.2.2.3.4.8).*

We wonder what purpose has this change and what will be the consequences of it. Does it mean that independently of the content of the approval the training body will be authorized to provide training on any subject set out in 8.2.2.3.2 to 8.2.2.3.5? For example a training body with an approval for say class 2 carriages in packages will be allowed to train a specialization tank course or a class 7 course independently of the contents of his approval?

For these reasons we don't see the need to delete the text "with the approval, on".

8.2.2.4.1

The footnote 1 in 8.2.2.4.1 brings some misunderstanding.

¹ *Additional teaching units are required for practical exercises referred to in 8.2.2.3.8.4.5. ~~below~~ which will vary depending on the number of drivers under instruction.*

This footnote is in contradiction with 8.2.2.4.5 (new 8.2.2.3.8) where the individual practical exercises shall take place in connection with theoretical training. Instead of that the practical exercises required in the footnote are additional teaching units, that is additional teaching units shall be organized which are not integrated in the theoretical training.

The question which arises is: are these "additional teaching units" in addition to the 18/12 teaching units prescribed in 8.2.2.4.1 or are there integrated in the theoretical training, that is in the 18/12 training units, as prescribed in 8.2.2.3.8? If the intention is to add teaching units for practical exercises it should be said so in the text and not in a footnote. A footnote should remain a clarification of existing rules in the text and not add any supplementary provisions. If the footnote is not a supplementary provision to the text then the wording in the footnote should be changed. For example by saying:

¹ *The courses shall include teaching units for practical exercises referred to in 8.2.2.3.8.4.5. ~~below~~ which will vary depending on the number of drivers under instruction.*

8.2.2.7.1.3

8.2.2.7.1.3 *For this purpose the competent authority, ~~or the examination body approved by that authority,~~ shall prepare a catalogue of questions which refer to the items summarized in 8.2.2.3.2. Questions in the examination shall be drawn from this catalogue. The candidates shall not have any knowledge of the questions selected from the catalogue prior to the examination.*

This deletion of "~~or the examination body approved by that authority,~~" has never been discussed before. We don't believe we are now in a context where the definition of competent authority can apply. As newly stated in 8.2.2.6 not only the training but also the

examinations are subject of approval. It is the matter of the approval to define how the catalogue of questions will be constituted. We are of the opinion of the preparation of the catalogue of questions is a matter which is part of the approval of the examination body. The catalogue of questions shall be presented by the examination body in order to obtain the approval. By deleting this in 8.2.2.7.1.3 suddenly it is the function of the competent authority and not of the examination body to procure the set of questions. This was not the purpose in ADR until now and doesn't correspond to the actual practice. It brings unnecessary burden to the competent authority. For this reasons we believe it is wrong to delete the reference to "the examination body approved by that authority".

8.2.2.7.3.1

In the French text having deleted 8.2.2.7.3.1 no reference is made any more to "prendre part à l'examen correspondant à sa formation" (to take part in the examination corresponding to his training). In order to avoid an examination not corresponding to the training at least in French the words ""sanctionnant la spécialisation" should be replaced by those in the actual 8.2.2.7.3.1: "prendre part à l'examen correspondant à sa formation".

Maybe the English version could be adapted to this wording in order to be clearer about what examination is meant.

8.2.2.7.4

This sub-section does not appear for 8.2.2.7.1. It seems it has been forgotten for the basic training course. It has been added only for specialization training courses under 8.2.2.7.2.4. Not only specialization training courses should be limited to the corresponding scope of the restricted basic training course but also the examination of the basic training should be restricted.

We can take account of this in two ways:

a) by changing 8.2.2.7.1.1

8.2.2.7.1.1 After completion of the basic training, including the practical exercises, an examination shall be held on the corresponding basic training course.

b) by adding a new 8.2.2.7.1.2 with the wording of the old 8.2.2.7.4:

8.2.2.7.1.2 If an examination is based on a restricted basic training course, this limits the examination to the same scope.

The second option seems us clearer as the first one.
