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Clarification from CCNR on proposals aimed at aligning CEVNI and RPNR

Following the request made by the CEVNI Expert Group, the CCNR has provided clarification on proposals contained in document ECE/TRANS/SC.3/WP.3/2013/10.

I. Article 1.01, definition of “safe speed”

Following the decision by the CEVNI Expert Group to keep the definition of “safe speed” in the CEVNI, the CCNR has decided to introduce this term into the RPNR.

II. Article 1.19

Background

CCNR proposed adding a new sentence in article 1.19 to cover the cases of cross-border hot pursuit, reading as follows:

“Boatmasters and persons in charge of floating establishments shall comply with any special instructions given to them by officials of the competent authorities in order to ensure safe and orderly navigation. **This shall also apply in the event of a cross-border hot pursuit.**”.

The CEVNI Expert Group requested clarification on the aim of such amendment.

Answer from CCNR

CCNR proposes adding a new sentence for the cases of cross-border hot pursuit. For instance, in the case of the Rhine (or any other river that is also a national border), the German police force should be able to intervene even when a vessel is on the French side of the river. Similarly, if the vessel is leaving the State where it committed an infraction, the police force from this State should be able to take appropriate measures, including when it is in another State. There are international agreements, generally bilateral, to cover this type of situation.

The proposal by CCNR to add a new sentence in the CEVNI allows for covering this type of situation and preventing the boatmaster knowing the different international agreements. The boatmaster would then know that he can be prosecuted in case of infraction, including after crossing the border.

III. Article 2.05, paragraph 1

Background

CNR proposed amending article 2.05, paragraph 1 as follows:

“1. The anchors of vessels shall bear identification marks in indelible characters. **These shall include at least either the order number of the ship’s certificate and the distinguishing letters of the inspection commission or the name and domicile of the owner of the vessel.**

If an anchor is used on another vessel belonging to the same owner, the original marking may be kept.”.

The CEVNI Expert Group rejected the proposal and requested clarification on the aim of such amendment.

Answer from CCNR

CCNR is of the opinion that it is necessary to know which vessel an anchor belongs to. For instance, if an anchor breaks away, it is necessary to know who is responsible. In principle an anchor belongs to a vessel. It must then be possible to identify it.

CCNR would like to make an alternative proposal: the European Identification Number (ENI) could be carved on the anchor. Indeed, the ENI is bound to the hull of the vessel and doesn't change, even if the vessel's owner changes. The CCNR Secretariat will propose an amendment to the RPNR to this end.

IV. Articles 3.31 and 3.32

Background

Following a proposal by CCNR, the CEVNI Expert Group decided to amend articles 3.31 and 3.32 and to add two new sketches in annex 3.

Amended article 3.31 reads as follows:

“1. If there are regulations prohibiting unauthorized persons from going on board, the prohibition shall be indicated by:

circular white boards bordered with red, with a red diagonal and a picture of an averting hand in black or, alternatively, by circular white boards bordered with red, with a red diagonal and the figure of a pedestrian in black.

The boards shall be placed on the vessel or on the gangway, as circumstances require. By derogation from article 3.03, paragraph 3, they shall be about 60 cm in diameter.

2. The boards shall be illuminated, as required, so as to be clearly visible at night.”.

With the corresponding new sketch:



Amended article 3.32 reads as follows:

“1. If other regulations prohibit

- (a) smoking;
- (b) using an unprotected light or flame;

on board, the prohibition shall be indicated by **circular white boards bordered with red, with a red diagonal and a picture of a burning match or, alternatively, by circular white boards bordered with red, with a red diagonal and a picture of a cigarette emitting smoke.**

The boards shall be placed on the vessel or on the gangway, as circumstances require. By derogation from article 3.03, paragraph 3, they shall be about 60 cm in diameter.

2. By night, the boards shall be illuminated so as to be clearly visible on both sides of the vessel.”.

With the corresponding new sketch:



CCNR had also proposed to use the term “symbol” instead of “board”. However, the CEVNI Expert didn’t take a decision on this proposal and requested the secretariat to verify and propose adequate wording. The secretariat has asked CCNR for clarification on the use of the word “symbol”.

Answer from CCNR

CCNR distinguishes traffic boards, generally placed on banks or bridges, from symbols affixed on vessels and indicating prohibition from going on board. These symbols are generally circular, while the traffic boards have rectangular dimensions and a minimal size, as described in article 3.03. To avoid confusion between boards and symbols, the two different terms should be used in their appropriate context.

Discussion by the secretariat

The term “symbol” is used in the RPNR and in the Rhine Vessel Inspection Regulations to describe similar pictograms. It is also used in Resolution No. 61 and European Directive 2006/87/EC (technical requirements for inland waterway vessels).

However, the secretariat would like to recall that articles 3.31 and 3.32 of CEVNI:

- require these circular pictograms to have a diameter of at least 60 cm, while the pictograms referred to in Resolution No. 61 may only have a diameter of 10 cm;
- require these circular pictograms to be placed on the vessel or on the gangway, while the pictograms referred to in Resolution No. 61 are meant to be placed on doors or cupboards in the vessel;
- refer to article 3.03 entitled “Boards, flags and pennants”.

Therefore, given the size and the location of these pictograms, the secretariat is of the opinion that the term “board” is appropriate.
