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Inland Transport Committee

Working Party on the Transport of Dangerous Goods

Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods

Geneva, 19–23 September 2016

Item 5 (b) of the provisional agenda

Proposals for amendment to RID/ADR/ADN: new proposals

Assignment of obligations of the participants

Transmitted by the Government of Italy^{1, 2}

Introduction

1. During the 6th Session of the RID Committee of Experts' standing working group by document OTIF/RID/CE/GTP/2016/5 (proposal 2), Italy asked the working group to express its view on the proposal to require that documents attesting compliance with the obligations of Chapter 1.4 be kept for at least three months. The working group confirmed that this proposal should be submitted to the Joint Meeting, as it did not concern rail transport alone, and suggested Italy to better specify which documents were concerned and what the aim of the proposal was.

2. Considering that the activities listed in Sections 1.4.2 and 1.4.3 define security requirements that must be met, the proposal simply requires anyone who performs one or more of these activities, to retain documentary evidence that all obligations under the RID/ADR/ADN have been effectively executed. It is not considered necessary to specify in RID/ADR/ADN which kind of documents should be retained. Could be underlined that the executor shall have to determine how to meet this obligation in relation to its organization and activities performed.

¹ In accordance with the programme of work of the Inland Transport Committee for 2016-2017, (ECE/TRANS/2016/28/Add.1 (9.2)).

² Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2016/29.

Proposal

3. With the aim to guarantee traceability and proper allocation of responsibility Italy proposes to modify 1.4.1.1 as follow: (new text underlined)

1.4.1 *General safety measures*

1.4.1.1 *The participants in the carriage of dangerous goods shall take appropriate measures according to the nature and the extent of foreseeable dangers, so as to avoid damage or injury and, if necessary, to minimize their effects. They shall, in all events, comply with the requirements of RID/ADR/ADN in their respective field.*

The participants must ensure the fulfilment of the activities and the corresponding safety requirements mentioned in sections 1.4.2 and 1.4.3. The documents that certify the successful completion of each activity must be retained for a period of at least three months or for a longer period if required by the competent authority. These documents must be made available to the authority upon request. When these documents are kept electronically or in a computer system the participant or the executor must be able to print them.

Justification

4. The new wording enables better traceability of the process and a clearer allocation of responsibilities assigned to the performer of each activity. It also facilitates the ability to outsource individual process steps without compromising overall safety, and finally will prevent any divergent interpretations and avoid discussion of the subject.
