
Economic Commission for Europe**Inland Transport Committee****Working Party on the Transport of Dangerous Goods****104th session**

Geneva, 15-17 May 2018

Item 8 of the provisional agenda

Any other business**8 May 2018****Questionnaire Enforcement Transport of Dangerous Goods****Transmitted by the Euro Contrôle Route (ECR)****Introduction**

1. The objective of Council Directive 95/50/EC, as adopted on 6 October 1995, is to improve the level of safety in the transport of dangerous goods on uniform procedures for checks on the transport of dangerous goods by road. In March 2017 the ECR Harmonie sub working group dangerous goods transport starts its work with the intention to provide its contribution for a possible update of the Directive 95/50/EC (as amended by Directive 2004/112/EC) with its annexes.
2. As part of the work of the ECR sub working group is the organisation of Expert Classes for control personnel, which are carrying out the inspections on the transport of dangerous goods by road. In 2017 an ADR Crossborder Enforcement (ACE) was organised where international inspection bodies work together in order to get a more harmonized and a qualitatively better enforcement on the transport of dangerous goods. These crossborder enforcement checks will be also continued in 2018 and in the coming years.
3. Various ECR ADR workshops, ECR Expert Classes, ECR working group meetings and joint international inspections showed that there is still a long way to go before we have a harmonised enforcement system on the transport of dangerous goods. The above activities contribute to this, but this is only a beginning of a real harmonisation in the field of the enforcement on the road transport of dangerous goods.

Information of the questionnaire and the follow-up of it

4. The ECR Harmonie sub-working group has drafted a questionnaire now (see attached Annex). This questionnaire is intended to get more insight in the organization, national tasks, powers, competences, interpretations and the way in which inspections are carried out by the inspection bodies of ADR member states. It provides also more insight in the different national levels of (safety) equipment, training and education of the control staff, which are of influence of all similarities and differences that exist in the field of the enforcement on the road transport of dangerous goods.
5. This questionnaire has been sent to all ECR countries and to the ADR (European) Contracting Parties with the request to fill it in as completely as possible. The ECR would like to bring this questionnaire to the attention of the WP.15. Finally, the results of this questionnaire will be communicated to the WP.15 (November 2018) and to the European Commission.

Annex

Enforcement Transport of Dangerous Goods (DG)

(differences and similarities between countries)

Country:

A. Enforcement of Road Transport of DG

1. Organisation:

1.1 Who is the competent authority (authorities) in your country that is carrying out the inspections on the transport of dangerous goods by road?
(please fill in all bodies / instances which are carrying out these inspections)

1.2 Who in your country coordinates the execution of the inspections on the road transport of DG?
(please fill in all bodies / instances which are coordinating these inspections)

Explanation and / or other comments:

1.3 How is the enforcement of road transport of DG regulated in your country?
(please give a description of the (governmental) organisation(s) and / or with an organization chart)

1.4 a How many control staff (inspectors) in your country are dealing with the supervision on the road transport of DG?

1.4 b How many of the under 1.4 a mentioned control staff members are trained and equipped for these controls?

Explanation and / or other comments:

1.5 Is this a daily job (specialized in checks on the road transport of DG) or are they also charged with other subjects that include the controls on carriage of goods or passengers?

Explanation and / or other comments:

1.6 Is there a cooperation with other entities / services / inspection bodies within your country in the field of the enforcement of road transport of DG?

Yes No

If yes, please fill in here the names of these entities / services / inspection bodies and prescribe their specific role and connection with your inspection body:

1.7 Who in your country is the competent authority for the licensing (exemptions etc.) of the road transport of DG?

(Please add here also the name, address, website of this (these) competent authority (authorities))

2. Information about the road side checks on the transport of DG in your country:

2.1 What is checked during a (basic) road side check?

(Please fill in the overview below):

- Documents
- Means of containment (packages / tanks)
- Transport, loading, unloading and handling provisions (substance not allowed, not shift proof or not closed, dangerous residues of the substance carried at the outside)
- Mixed loading prohibitions and limitations requirements
- Stowage and handling
- UN marking of packages / tank marking
- Marking and labelling of packages
- Placarding and marking of containers, MEGC's, MEMUs, tank-containers, portable tanks and vehicles
- Fumigated cargo transport units
- Equipment for general and personal protection of the transport unit
- Fire extinguishers
- Special provisions
- Special provisions

- Additional provisions applicable to certain classes or specific goods
- Carrying of passengers
- Classification (substance not classified or not allowed for transport)
- Training of the vehicle crew
- Safety advisor (is a safety advisor appointed?)
- Security provisions (chapter 1.10)
- Tunnels (not in compliance with the tunnel regime)
- Other (please fill in here)

Explanation and / or other comments:

More detailed information about specific topics during road side checks:

2.2 a Do you check the top side of a tank (tank-vehicle / tank-container)?

Yes No

Explanation and / or other comments:

2.2 b Do you check a trailer with DG visually at the outside and/or physically in the trailer?

Yes No

Explanation and / or other comments:

2.2 c Do you check Material Safety Data Sheets (MSDS)?

Yes No

Explanation and / or other comments:

2.2. d Do you check the technical specifications of a vehicle in relation to ADR (electrical equipment, braking equipment, preventing of fire risks, speed limiting devices)?

Yes No

Explanation and / or other comments:

3. Competences

3.1 Which competences do you have (in general and specifically) when you check a vehicle with DG? And which measures (interventions) do you take and enforcement instruments do you have to prohibit a consignment or interrupt a transport operation after an infringement has been detected?

(Please fill in the overview below):

- Stopping a vehicle
- Accessing to all places
- Demanding for information
- Demanding for co-operation
- Copying of all documents
- Opening a vehicle / container / with DG
- Opening a package with DG
- Taking samples of DG
- Performing measurements (e.g. measurement of vapours, use of a waterfinder) and/or able to verify the properties of a DG (e.g. use of litmus)
- Immobilisation of a vehicle with DG
- Seizure of a vehicle / package with DG
- Taking (Corrective) measures
- Making recommendations
- Issuing warnings
 - Taking interventions / sanctions (fines / official report)
 - Making arrangements with undertakings / industry
 - Giving rewards (trust based inspections)
 - Giving information
 - Withdrawal of permits
 - Other (please fill in here)

Explanation and / or other comments:

3.2 Do you have a legal basis where your competences are prescribed?

Yes No

Explanation and / or other comments:

3.3 In the case of one or more infringements (and if applicable) are you able to address all participants of chapter 1.4 ADR in relation to the responsibilities as mentioned in this chapter?

Yes No

3.4 If you are not able, who do you address as offender (suspect) of such (an) infringement(s)?

- Carrier
- Driver
- Consignor
- Consignee
- Loader
- Packer
- Filler
- Tank-container/portable tank operator
- Unloader

Explanation and / or other comments:

4. (Safety) equipment

4.1 Which tools / equipment do you use for your daily work of inspections on the transport of DG?

- (own) Service car
- EU Checklist
- Laptop / computer with docking station
- Printer
- Dedicated software with internet connection / databases (e.g. application to draw up official reports / policy reports)
- Law books with all related transport regulations (latest edition)
- Digital legislation
- Ladder
- A pair of pliers (e.g. to break seals)
- Seals
- Tape (with the name of the authority)
- Other (please fill in here)

4.2 Which safety equipment do you use for daily work of inspections on the transport of DG?

- Body protection (protective clothing , like chemical resistant, anti-static etc.)
- Arm and hand protection
- Head protection
- Eye protection
- Hearing protection
- Foot protection

-
- Breathing protection (with suitable filters)
 - Eyewash bottle
 - Measuring equipment
 - Other (please fill in here)

Explanation and / or other comments:

4.3 Do you have a special protocol / working instruction for (the use) of this safety equipment?

Yes No

Explanation and / or other comments:

B. Enforcement of Companies with DG

5. Company checks

5.1 Do you carrying out inspections of DG at companies (company checks)?

Yes No

5.2 If you do not, why not?

- (Lack of) competences
- Other (governmental) services / organizations do this (are responsible)
(if so, please fill in these services / organizations below)
- Others

Explanation and / or other comments:

5.3 If you do not, who is carrying out these company checks? (please fill in these services / organizations)

5.4 If you visit these companies, do you register these inspections in a database?

Yes No

5.5 If other services / organizations visit these companies, do you get this information or the data of these inspections

Explanation and / or other comments:

C. Registration and analysis of inspection data

6. Registration system of DG

6.1 Do you have a registration system to register all your inspection data?

Yes No

Explanation and / or other comments:

6.2 Do you make analyses of all these data?

Yes No

Explanation and / or other comments:

6.3 Do you make an (annual) report of the results of your inspections?

Yes No

Explanation and / or other comments:

6.4 Do you record the data of the serious infringements in the national electronic register of road transport undertakings (ERRU) in accordance with Regulation 1071/2009, which may lead to the loss of good repute by the transport operator (also for the purpose of making risk analysis)?

Yes No

Explanation and / or other comments:

D. Additional questions

7. Incidents with the transport of DG

7.1 Do you have a special role in incidents with the transport of DG (e.g. technical assistance at an incident with the transport of DG, investigation of such incidents)?

Yes No
(if yes, prescribe this role in any words)

7.2 Do you have statistics about incidents with the transport of DG

Yes No
(if yes, please fill in the details of such statistics and name / address of organization / competent authority where this information is available)

8. Vademecum of DG

8.1 Do you have a kind of vademecum (handbook) for all interpretations of the regulations of ADR (specifically for the use of your enforcement policy on the transport of DG)?

Yes No

9. Harmonization of our enforcement

9.1 What is your opinion about the harmonization or our inspection work on the transport of DG?

(please fill in all your ideas / suggestions about this: how can we get such a better harmonization and how can you contribute to this?)

E. Additional comments / remarks

(please fill in here all your other comments / remarks / additions referring this questionnaire)
