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Bern, 26-30 March 2007
Agenda item 5

PROPOSALS OF AMENDMENTS TO RID/ADR/ADN */

Training of persons involved in the carriage of dangerous goods

Transmitted by the Government of Sweden

SUMMARY

Executive summary: This proposal seeks to amend some provisions in 1.3 to clarify that persons shall have received training in the past to carry out their duties. It is not sufficient to require that “persons shall receive training” sometime in the future,

Action to be taken: Amend 1.3.1, 1.3.2.2 - 1.3.2.4.

Related documents: None.

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Introduction

According to the existing provisions in 1.3.1, persons whose duties concern carriage of dangerous goods shall receive training in the requirements concerning dangerous goods appropriate to their responsibilities. The aim of this provision is very desirable. However, the way provision is drafted today creates some problems in Sweden.

During enforcement, the Swedish police discovered a company which did not comply with the provision in 1.3.1. The case was forwarded to trial where a sentence was passed that stated it is sufficient for the company to promise that the persons shall receive training sometime in the future. To summarize, persons whose duties entail carriage of dangerous goods need not actually have received training as long as they state they will receive training in the future. The Government of Sweden is of the opinion that this is not the intent of the provision.

Therefore the Government of Sweden proposes to make a minor change to this provision, as well as to 1.3.2.2, 1.3.2.3 and 1.3.2.4.

It is proposed that 1.3.1, 1.3.2.2 - 1.3.2.4 should follow the structure used in 8.2.3 in ADR, which reads as follows:

“Training of persons other than the drivers holding a certificate in accordance with 8.2.1, involved in the carriage of dangerous goods by road

Persons whose duties concern the carriage of dangerous goods by road shall have received training in the requirements governing the carriage of such goods appropriate to their responsibilities and duties according to Chapter 1.3, etc.”.

Proposal

Amend the present text of 1.3.1, 1.3.2.2 - 1.3.2.4 to read as follows (changes shown in bold and italics):

1.3.1 Scope and applicability

Persons employed by the participants referred to in Chapter 1.4, whose duties ***entail*** the carriage of dangerous goods, shall ***have received*** training in the requirements governing the carriage of such goods appropriate to their responsibilities and duties. Training requirements specific to security of dangerous goods in Chapter 1.10 shall also be addressed.

1.3.2.2 Function-specific training

Personnel ***shall have received*** detailed training, commensurate directly with their duties and responsibilities in the requirements of the regulations concerning the carriage of dangerous goods (remainder unchanged).

1.3.2.3 Safety training

Commensurate with the degree of risk of injury or exposure arising from an incident involving the carriage of dangerous goods, including loading and unloading, personnel ***shall have received*** training covering the hazards (remainder unchanged).

1.3.2.4 Training for Class 7

For the purpose of Class 7, personnel ***shall have received*** appropriate training concerning radiation protection including the precautions to be observed in order to restrict their occupational exposure and the exposure of other persons who might be affected by their actions.

Justification There is a need to clarify that it is not sufficient that persons shall receive training sometime in the future.

Safety: There are no safety issues which result from the proposal.

Feasibility: The Government of Sweden sees no extra costs or negative practical implications with the proposed change.

Enforceability: The enforceability will be simplified.
