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Item 6 (a) of the provisional agenda

Standardization of technical and safety requirements in inland navigation: European Code for Inland Waterways (resolution No. 24)

Implementation of the European Code for Inland Waterways**Addendum****Note by the secretariat****I. Introduction**

1. As a supplement to the preliminary status document on the implementation of the European Code for Inland Waterways (CEVNI) by Governments (ECE/TRANS/SC.3/2010/5), the table presented below contains information on the implementation of CEVNI provisions by the River Commissions.

2. The questionnaire is based on the responses received from the Central Commission for the Navigation of the Rhine (CCNR) and the Mosel Commission. The information provided by the CCNR secretariat is subject to verification by the national delegations to CCNR and may be modified on the basis of new data.

II. Information on deviations from the articles of Chapters 1–8 of CEVNI, other than those listed in Chapter 9, if any**A. Central Commission for the Navigation of the Rhine**

3. The Commission is currently preparing an inventory of deviations from Chapters 1–8 of CEVNI. This inventory will be sent to the ECE secretariat as soon as it is available.

B. Mosel Commission

4. The comparative study of the Police Regulations for the Navigation of the Mosel (RPNM) and the fourth revised edition of CEVNI carried out by the secretariat of the Mosel Commission identified the following deviations in Chapter 1:

(a) Article 1.01 – in RPNM, subparagraphs (t), (u) and (v) concern the conformity of signal lights with European standards and the Regulations for the Carriage of Dangerous Goods on the Rhine (ADNR), and not the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN);

(b) Article 1.02 – a requirement specific to the boatmaster with regard to the quantity of alcohol that may be consumed is set; it also applies to the vessel crew;

(c) Article 1.07, paragraph 1 – RPNM prescribes requirements for loading canal barges;

(d) Article 1.08, paragraphs 3 and 4 – here and elsewhere in the text (article 2.04), RPNM refers to the Rhine Vessels Inspection Regulations;

(e) Article 1.10, paragraph 1 – RPNM requires additional documents to be kept on board vessels navigating on the Mosel. Some of the documents required by RPNM are mentioned in Chapter 9 of CEVNI;

(f) Article 1.12 – RPNM prescribes that, when raised, anchors must not hang below the bottom or keel of the vessel;

(g) Article 1.15 – there is no mention in RPNM of the prohibition of throwing, pouring or discharging into inland waterways any form of petroleum waste or mixtures of such waste with water;

(h) Article 1.16 – in RPNM, after an accident has occurred, all persons involved must keep themselves informed of the consequences of the accident and supply information that will facilitate their identification, the identification of the vessel and an understanding of the nature of their involvement. Any person whose behaviour — within a given set of circumstances — may have caused an accident is considered to be involved in the accident;

(i) Article 1.18 – CEVNI stipulates exceptions for pushed convoys. The obligation to remove from the river bed a grounded or sunken vessel, a grounded assembly of floating material or an object lost by a vessel or assembly is governed by national regulations;

(j) Article 1.20 – RPNM does not authorize representatives of the competent authorities to prohibit the navigation of a vessel in specific cases;

(k) Article 1.21 – in RPNM, amphibious vessels are considered small craft. Paragraphs 3 and 4 of this article concern aspects specific to the Mosel river;

(l) Article 1.22 – RPNM provides details concerning the special temporary regulations that may be issued;

(m) CEVNI does not contain the following articles, which appear in RPNM: article 1.24 (Applicability in ports, loading and unloading zones), article 1.25 (Loading, unloading and transshipment operations), article 1.26 (Special rights for vessels of the supervisory authorities) and article 1.27 (Requirements, authorizations and approvals).

5. The comparative study of RPNM and CEVNI carried out by the secretariat of the Mosel Commission identified the following deviations in Chapter 2:

(a) Article 2.01, paragraph 4 – in RPNM, a special exception is made for canal barges, which may replace the identification marks specified in article 2.01 by those

prescribed or allowed on French canals or on the Sarre river. Paragraphs 4 and 5 of article 2.01 of CEVNI are not reproduced in RPNM;

(b) Article 2.04 – specific provisions are prescribed for canal barges;

(c) Article 2.05 – specific provisions are prescribed for identification marks on anchors; in addition, these provisions do not apply to vessels operating only temporarily on the Mosel.

6. The comparative study of RPNM and CEVNI carried out by the secretariat of the Mosel Commission identified the following deviations in Chapter 3:

(a) Article 3.01 – in RPNM, paragraphs 3 and 5 prescribe, respectively, special rules for pushed convoys and side-by-side formations and a provision concerning vessels waiting to enter locks. The definition of the term “height” has been left out;

(b) Article 3.02 – RPNM prescribes provisions concerning lights, in addition to signal lights, used for navigation on the Mosel, and night marking for non-motorized vessels;

(c) Article 3.06 – RPNM does not prescribe provisions for emergency lights;

(d) Article 3.08 – RPNM does not cover high-speed vessels;

(e) Article 3.09 – in paragraph 5, RPNM prescribes exceptions to the requirements for passing through harbours (convoys consisting solely of one motorized vessel and a single towed unit). The RPNM article does not mention openings of fixed bridges or seagoing vessels coming directly from or leaving for the sea;

(f) Article 3.10 – RPNM stipulates that pushed convoys with two pushers in side-by-side formation must carry the stern lights prescribed in paragraph 1 (c) (i) on the starboard pusher; the other pusher is required to carry the stern lights prescribed in paragraph 1 (c) (ii). In paragraph 4 of the RPNM, when a pushed convoy is towed by day, the pusher must carry a yellow ball in an appropriate place and at a height enabling it to be visible from all directions. RPNM stipulates that stern lights should be white. RPNM does not reproduce paragraphs 3–5 of CEVNI article 3.10;

(g) Article 3.11 – RPNM does not reproduce paragraphs 2 and 3 of the CEVNI article;

(h) Article 3.12 – RPNM does not reproduce paragraphs 2 and 3 of the CEVNI article;

(i) Article 3.13 – RPNM prescribes provisions for small sailing craft; RPNM does not reproduce paragraphs 2, 5 (last sentence) and 7 of the CEVNI article;

(j) Article 3.14 – RPNM specifies that this additional marking applies to vessels under way carrying out certain transport operations involving dangerous substances. RPNM refers to ADNR and not to ADN;

(k) Article 3.17 – under this article RPNM prescribes provisions for marking applicable to vessels under way that enjoy priority of passage;

(l) Article 3.18 – RPNM specifies that this additional marking applies to vessels under way that are unable to manoeuvre. The requirements for marking by day are different. RPNM does not reproduce provisions for marking by night that allow for carrying two red lights, one above the other, nor does it reproduce other provisions for small craft with regard to night marking;

(m) Article 3.20 – RPNM does not prescribe provisions for day marking. Convoys and small craft are not mentioned. Exemptions from the obligation to carry marking as prescribed by this article are granted by the competent authorities;

(n) Article 3.26 – in RPNM, specific reference is made to the fact that this article concerns anchors, floating material and floating establishments;

(o) Article 3.30 – RPNM does not prescribe the same distress signals as those prescribed by CEVNI. The list of signals accepted by CEVNI is longer than that contained in RPNM;

(p) RPNM does not reproduce articles 3.34–3.38 of CEVNI.

7. The comparative study of RPNM and CEVNI carried out by the secretariat of the Mosel Commission identified the following deviations in Chapter 4:

(a) Article 4.06 – RPNM refers to the Rhine Vessels Inspection Regulations;

(b) RPNM does not reproduce article 4.07 of CEVNI.

8. The comparative study of RPNM and CEVNI carried out by the secretariat of the Mosel Commission identified the following deviations in Chapter 5:

(a) RPNM does not reproduce article 5.03 of CEVNI;

(b) RPNM does not reproduce articles 6.01 and 6.01 bis of CEVNI.

9. The comparative study of RPNM and CEVNI carried out by the secretariat of the Mosel Commission identified the following deviations in Chapter 6:

(a) Article 6.01 of RPNM prescribes the rules of the road for sailing craft on the Mosel;

(b) Article 6.02 bis of RPNM prescribes the rules of the road for small craft;¹

(c) Article 6.03 – RPNM does not stipulate that a boatmaster who sees any danger of collision must sound a series of very short blasts;

(d) Article 6.03 bis – RPNM does not reproduce article 6.03 bis of CEVNI;

(e) Article 6.05 – RPNM does not reproduce paragraphs 1, 6 or 7 of the CEVNI article. In RPNM, paragraph 1 sets an upper limit for the number of passengers (at 300);

(f) Article 6.06 – RPNM does not reproduce article 6.06 of CEVNI;

(g) Article 6.07 – RPNM does not include requirements for meetings on waterways for which “downstream” and “upstream” are not defined;

(h) Article 6.10 – RPNM does not reproduce the privileges granted to sailing vessels and small craft in terms of overtaking (CEVNI, paras. 6 and 7) or signalling by sounding blasts when overtaking (CEVNI, para. 3);

(i) Article 6.13 – RPNM does not reproduce the privileges granted to small craft;

(j) Article 6.16 – RPNM does not reproduce paragraphs 2, 6 and 7 of CEVNI. Signs prohibiting the entry to a port are slightly different (use of arrows);

¹ This provision is identical to the corresponding article in the Police Regulations for the Navigation of the Rhine that is reproduced in the annex.

(k) Article 6.21 – RPNM prescribes that a convoy or a side-by-side formation must be composed in such a way that it can pass through a lock in a single operation; in particular, its total width may not exceed 11.45 m (para. 1). RPNM stipulates that all pushed convoys or side-by-side formations whose length exceeds 86 m must be capable, when proceeding downstream, of stopping in good time in such a way that they remain under proper control before and after stopping. The same requirement applies to all motorized vessels longer than 86 m, except for those whose keel was fitted prior to 1 April 1960 (para. 2). RPNM prescribes that motorized vessels that provide the main traction of a side-by-side formation should be on the starboard side of such a formation (para. 3). RPNM does not include requirements for ship-borne barges;

(l) Article 6.21 bis – this article is reproduced in article 8.05 of RPNM. RPNM prescribes that a pusher barge outside a pushed convoy may be relocated only over short distances and in accordance with the regulations prescribed by the competent authority or with the authorization of that authority;

(m) Article 6.22 – RPNM stipulates exceptions for small non-motorized craft with regard to sign A.1a and for vessels not using their own mechanical means of propulsion. The prohibition applies also to floating material. Persons practising aquatic sports without the use of a boat may not for such purposes use a section of the waterway behind a board bearing the sign A.1. Sections of the waterway closed to use or whose use is restricted may be marked with a series of two or more boards bearing the signs A.1, A.1a or A.12, or with a series of two or more yellow floats bearing these signs as topmarks;

(n) Article 6.29 – RPNM prescribes specific provisions with regard to the order of passage through locks;

(o) Article 6.31 – the requirements concerning the pealing of bells are somewhat different. RPNM provides an exception for pushed convoys and side-by-side formations (para. 3);

(p) Article 6.33 – RPNM does not include requirements for ferry-boats not navigating by radar;

(r) RPNM does not include articles 6.34–6.37 of CEVNI.

10. The comparative study of RPNM and CEVNI carried out by the secretariat of the Mosel Commission identified the following deviations in Chapter 7:

(a) Article 7.01 – RPNM prescribes that, in areas where, owing to conditions in the fairway, it is necessary to navigate at a distance of less than 40 m from the bank, vessels may berth side-by-side only if their total width does not exceed 11.45 m;

(b) Article 7.02 – RPNM prescribes that berthing is prohibited in lay-bys located upstream and downstream from locks, except for vessels in the process of locking. Authorization may nevertheless be provided by the personnel of the locks for overnight berthing or in bad weather in downstream lay-bys, provided that this does not hinder the passage of other vessels;

(c) Article 7.06 – RPNM requires vessels to berth abreast from the bank outwards;

(d) Article 7.08 – RPNM does not stipulate special requirements for vessels lying in the fairway, tank vessels carrying dangerous substances or vessels carrying passengers.

11. The comparative study of RPNM and CEVNI carried out by the secretariat of the Mosel Commission identified the following deviations in Chapter 8:

(a) Article 8.02 – these requirements are reproduced by RPNM in article 9.05; however, RPNM prescribes additional and specific provisions.

IV. Information on additional provisions complementing Chapters 1–8 of CEVNI

A. Central Commission for Navigation on the Rhine (CCNR)

12. The preliminary study of the Police Regulations for the Navigation of the Rhine (RPNR) and CEVNI carried out by the secretariat of CCNR identified the following additional provisions in Chapter 1 of RPNR:

(a) Article 1.02 – in paragraph 1, RPNR specifies that boatmasters are considered to possess the necessary performance requirement if they are licence holders in accordance with the Rhine Licensing Regulations. In paragraph 7, RPNR prohibits navigation of the vessel by boatmasters whose blood alcohol concentration is 0.5 parts per thousand or more, or when their level of alcohol absorption corresponds to an equivalent alcohol concentration in the blood or exhaled breath (the same prohibition applies to crew members as indicated in article 1.03 of RPNR);

(b) Article 1.10 – RPNR stipulates requirements for documents additional to those listed in articles 1.10 and 9.02 (6) of CEVNI, such as a Rhine navigation membership certificate or certificates required under regulations relating to safety personnel for passenger vessels;

(c) Article 1.21 – in paragraph 2, RPNR stipulates that, for the purposes of the current regulations, amphibious vehicles are considered to be small craft;

(d) Article 1.22 – RPNR contains two additional paragraphs on possible reasons for temporary requirements.

13. The preliminary study did not identify any additional provisions in Chapter 2 of RPNR.

14. The preliminary study identified the following additional provisions in Chapter 3 of RPNR:

(a) Article 3.01 – according to paragraph 3 (b) in RPNR, side-by-side formations whose length exceeds 140 m are considered to be pushed convoys of the same length.

15. The preliminary study identified no additional provisions in Chapter 4 of RPNR.

16. The preliminary study identified no additional provisions in Chapter 5 of RPNR.

17. The preliminary study identified the following additional provisions in Chapter 6 of RPNR:

(a) Article 6.02 – in RPNR, paragraph 2 prescribes that the provisions of articles 6.04, 6.05, 6.07, 6.08, paragraph 1, 6.10, 6.11 and 6.12 — with the exception of sign B.1 — do not apply to or in respect of the small craft, towed convoys and side-by-side formations referred to in article 6.02, paragraph 1. Vessels other than small craft are not required to comply with the provisions of articles 6.09, paragraph 2, 6.13, 6.14 or 6.16 in respect of the small craft, towed convoys and side-by-side formations referred to in article 6.02, paragraph 1;

(b) Article 6.02 bis of RPNR prescribes the rules of the road for small craft;²

² The text of this article is reproduced in the annex.

(c) Article 6.32 – in RPNR, this article is structured differently than the corresponding article in CEVNI.³

18. The preliminary study identified the following additional provisions in Chapter 7 of RPNR:

(a) Article 7.01 – in RPNR, paragraph 2 prescribes that, in areas where, owing to conditions in the fairway, it is necessary to navigate at a distance of less than 40 m from the bank, vessels may berth along the bank only in single file.

19. The preliminary study revealed that the following articles of RPNR are not found in CEVNI:⁴

- (a) Article 8.01 (Towing of or by a pushed convoy);
- (b) Article 8.02 (Pushed convoys consisting of vessels other than pusher barges);
- (c) Article 8.03 (Pushed convoys consisting of ship-borne barges);
- (d) Article 8.04 (Relocation of pusher barges outside a pushed convoy);
- (e) Article 8.05 (Couplings of pushed convoys);
- (f) Article 8.06 (Voice link on board convoys);
- (g) Article 8.07 (Movement of persons on board pushed convoys);
- (h) Article 8.08 (Formation of towed convoys);
- (i) Article 8.10 (Safety on board vessels authorized to transport more than 12 passengers).

B. Mosel Commission

20. The preliminary study carried out by the secretariat of the Mosel Commission identified the following additional provisions in RPNM:

- (a) Chapter 8 (Additional provisions);
 - Article 8.01 (Maximum dimensions of vessels and convoys);
 - Article 8.01 bis (Running speed);
 - Article 8.02 (Towing of or by a pushed convoy);
 - Article 8.03 (Pushed convoys consisting of vessels other than pusher barges);
 - Article 8.04 (Pushed convoys consisting of ship-borne barges);
 - Article 8.06 (Couplings of pushed convoys);
 - Article 8.07 (Voice link on board convoys and vessels longer than 110 m);
 - Article 8.08 (Movement of persons on board pushed convoys);
 - Article 8.11 (Onboard safety of passengers);
 - Article 8.12 (Use of piers for passenger vessels);
- (b) Chapter 9 (Special rules of the road and berthing rules);

³ The text of this article is reproduced in the annex.

⁴ The text of this article is reproduced in the annex.

- Article 9.01 (Navigation restrictions);
- Article 9.02 (Passage through the Metz locks outside navigation hours);
- Article 9.03 (Traffic in the entry channel to the Koblenz locks);
- Article 9.04 (Navigation of pushed convoys at the mouth of the Mosel);
- (c) Chapter 10 (Navigation restrictions during flood-water periods);
 - Article 10.01 (Flood marks);
 - Article 10.02 (Procedure to follow when flood marks are reached or exceeded)
- (d) Chapter 11 (Protection of waters and elimination of wastes produced on board vessels);
 - Article 11.06 (Obligation to supervise fuelling)
 - Articles 11.01–11.09 (with the exception of article 11.06) are found in Chapter 10 of CEVNI.

Annex

Articles of the Police Regulations for the Navigation of the Rhine (RPNR) not found in CEVNI

Article 6.02 bis – Rules of the road for small craft

1. Motorized small craft shall give way to non-motorized small craft.
2. Small craft that are neither motorized nor under sail shall give way to small sailing craft.
3. When two motorized small craft are crossing in such a manner that there is a risk of collision, one of them shall keep out of the way of the other as follows:
 - (a) When they are proceeding on courses directly or almost directly opposite to each other, each vessel shall veer to starboard so as to pass on the port side of the other;
 - (b) When they are proceeding on different courses that cross, the small craft that sees the other to starboard shall give way to it; this provision is without prejudice to the application of articles 6.13, 6.14 and 6.16.
4. When two small craft under sail are crossing in such a manner that there is a risk of collision, one of them shall keep out of the way of the other as follows:
 - (a) When each craft has the wind on a different side, the craft with the wind on the port side shall give way to the other;
 - (b) When both craft have the wind on the same side, the craft which is to windward shall give way to the craft to leeward;
 - (c) If a craft with the wind on the port side sees another craft to windward and cannot determine with certainty whether the other craft has the wind on the port or on the starboard side, it shall give way to that other craft.

Small sailing craft shall overtake to windward other small sailing craft. The windward side shall be deemed to be the side opposite to that on which the mainsail is carried.
5. Small sailing craft in the process of tacking must not manoeuvre in such a way as to oblige a small craft following the bank to starboard to give way.

Article 8.01 (Towing of or by a pushed convoy)

1. The towing of a pushed convoy is prohibited.

Notwithstanding, pushed convoys may be towed in the event of exceptional local circumstances, provided that doing so does not hinder navigation.
2. Towing by a pushed convoy is prohibited. Notwithstanding, a pushed convoy may carry out towing operations:
 - When proceeding upstream, provided that its maximum dimensions do not exceed 110 m x 12 m;
 - When proceeding downstream, provided that its maximum dimensions do not exceed 86 m x 12 m;

And provided, in addition, that an indication to that effect is made in the inspection certificate of the pusher.

A group consisting of a pushed convoy that performs towing operations shall be considered a towed convoy within the meaning of article 1.01, subparagraph (d), and the pushed convoy shall be considered a motorized vessel leading a towed convoy.

Article 8.02 (Pushed convoys consisting of vessels other than pushing barges)

A pushed convoy may consist of vessels other than pushing barges when this is expressly provided in the inspection certificate of the pusher and in that of the pushed vessel.

Article 8.03 (Pushed convoys consisting of ship-borne barges)

1. Pushed convoys may be led by ship-borne barges only when:
 - (a) The ship-borne barge is equipped with a front-beak; or
 - (b) The ship-borne barge is built with a moulded front; or
 - (c) The ship-borne barge is placed next to the normal barge and the lowest point below which the ship-borne barge is no longer considered watertight is at least 1 m above the water level.
2. For the purposes of paragraph 1 above, the leader of the pushed convoy shall be equipped with anchors as prescribed by the Rhine Vessels Inspection Regulations.
3. The competent authority may grant special exemptions for short journeys on the channelled Rhine and on the Grand Canal d'Alsace for convoys consisting of no more than two ship-borne barges and whose length does not exceed 86 m.

Article 8.04 (Relocation of pusher barges outside a pushed convoy)

A pusher barge outside a pushed convoy may be relocated only:

- (a) If coupled or if towed by a motorized vessel, provided that the inspection certificate of both vessels contains an indication to that effect;
- (b) Over short distances, with a view to the formation of a pushed convoy or following the disassembly of a pushed convoy, in accordance with the regulations prescribed by the competent authority or with its authorization.

Article 8.05 (Couplings of pushed convoys)

1. The couplings of a pushed convoy must ensure the convoy's rigidity.
2. It must be possible to accomplish coupling and uncoupling simply and easily.
3. Couplings shall be kept uniformly tight by using the appropriate tools, preferably special winches.
4. For pushed convoys whose width is less than or equal to 12 m and which consist of a pusher vessel and a pushed vessel, the rigid connection between the two vessels may be

replaced by a coupling system that is approved by an inspection commission and permits guided articulation.

Article 8.06 (Voice link on board convoys)

1. When the length of a pushed convoy exceeds 110 m, there must be a two-way voice link between the wheelhouse of the pusher and the leader of the convoy.
2. In the case of pushed convoys propelled by two side-by-side pushers, a two-way voice link must be ensured between the steering positions of both pushers.
3. In the case of side-by-side formations consisting of motorized vessels, a two-way voice link must be ensured between the steering positions of both vessels.
4. In the case of towed convoys, a two-way voice link must be ensured between the steering positions of all vessels.
5. The ship-to-ship network must not be used to provide a voice link.

Article 8.07 (Movement of persons on board pushed convoys)

The movement of persons on a pushed convoy must be easy and safe. In addition, convoys must be equipped with the proper protective devices for any openings between convoy units.

Article 8.08 (Formation of towed convoys)

1. The distance between the motorized vessel at the head of the convoy and the first towed unit must not exceed 120 m. Nevertheless, in a convoy proceeding upstream consisting of a single towed vessel whose dead weight is more than 600 t, this distance may be increased to a maximum of 200 m.
2. The distance between two towed units must not exceed 100 m.
3. The distance between two motorized vessels at the head of a towed convoy must not exceed 120 m.

Article 8.10 (Safety on board vessels authorized to transport more than 12 passengers)

The following provisions apply to vessels authorized to transport more than 12 passengers and equipped to accommodate them on board overnight:

(a) A safety plan indicating the tasks to be performed by the crew and the personnel in the event of an emergency must be kept on board the vessel. Instructions for passengers in the event of a leak, a fire or an evacuation of the vessel must also be kept on board.

The safety plan and instructions must be posted in various appropriate locations;

(b) The crew and the personnel must be familiar with the safety plan referred to in subparagraph (a) above and must be given periodic instruction in the tasks they are expected to perform;

(c) Any time passengers are on board the vessel, all obstacles must be removed from the evacuation routes. It must be possible to open easily from both sides the doors and emergency exits located on these routes;

(d) Safety instructions must be provided to passengers at the beginning of any journey lasting more than one day;

(e) During the night, as long as there are passengers on board, safety checks must be carried out every hour. Appropriate procedures should be in place for verifying the discharge of this duty.
