



Economic Commission for Europe**Inland Transport Committee****Working Party on the Transport of Dangerous Goods****Joint Meeting of Experts on the Regulations annexed to
the European Agreement concerning the International Carriage
of Dangerous Goods by Inland Waterways (ADN)
(ADN Safety Committee)****Thirty-ninth session**

Geneva, 24–28 January 2022

Item 5 (b) of the provisional agenda

**Proposals for amendments to the Regulations annexed to ADN:
Other proposals****Section 8.2.1 of ADN – General requirements concerning
training of experts****Transmitted by the Government of Germany* ******Related documents:**

ECE/TRANS/WP.15/AC.2/2021/21 (Germany)

Session report ECE/TRANS/WP.15/AC.2/78, para. 26

Introduction

1. At its thirty-eighth session in August 2021, the ADN Safety Committee considered some amendments submitted by Germany concerning the requirements related to the ADN expert examination.

2. Decision of the Safety Committee concerning the request to amend 8.2.2.7.2.1 regarding the conditions of admission to the specialization courses on gases and chemicals:

“On the proposed amendments to 8.2.2.7.2.1 for the admission to the specialization courses on gases and chemicals, the Safety Committee noted that candidates should not necessarily be in possession of the physical certificate to apply for the exam as they can be delayed” (list of decisions, silence procedure for decisions at the thirty-eighth session).

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** In accordance with the programme of work of the Inland Transport Committee for 2021 as outlined in the proposed programme budget for 2021 (A/75/6 (Sect. 20), para. 20.51).



3. Decision of the Safety Committee on the request to amend 8.2.2.7.1.1 concerning the number of retakes of the examination in case of failure:

“On proposal 3 the Safety Committee concluded that on educational grounds an amount of two retakes is desirable and that a comparison with other forms of examination is desirable” (list of decisions, silence procedure for decisions at the thirty-eighth session).

4. In both cases, Germany agreed to submit an updated amendment proposal for the thirty-ninth session of the Safety Committee.

I. Proposals for amendments

5. Germany invites the Safety Committee to give a decision on the following proposed amendments concerning the training of experts. (Text to be deleted is ~~stricken through~~, new text is underlined.)

6. In 8.2.2.3.3, “Specialization courses”, amend as follows:

“Specialization course on gases

Prior training: ~~valid ADN Examination passed after~~ “tank vessels” or combined “dry cargo vessels/tank vessels” ~~certificate~~ ADN basic training”.

“Specialization course on chemicals

Prior training: ~~valid ADN Examination passed after~~ “tank vessels” or combined “dry cargo vessels/tank vessels” ~~certificate~~ ADN basic training”.

7. 8.2.2.7.1.1 (Basic training courses) Amend to read as follows:

“After basic training, an examination shall be taken within six months following the completion of such training. If a candidate fails the examination, he or she may retake it twice during this six-month period without attending another basic training course.”

8. 8.2.2.7.2.5 (Specialization courses) Amend the sixth sentence (“If the candidate obtains 44 but does not achieve 20 in one part, the part in question may be resat once.”) to read as follows:

“If a candidate fails the examination, he or she may retake it, fully or partially, twice during this six-month period without attending another specialization course. If the 44 marks are not achieved, the exam may be taken again in its entirety. If the candidate obtains 44 but does not achieve 20 in one part, only the part in question may be taken again.”

II. Justification

9. The amendments proposed above give effect to the decisions in principle taken at the thirty-ninth session.

10. The test to be carried out by the training organizer after the refresher course following the basic training may be retaken two times during the validity of the certificate without the requirement to attend a refresher course again (8.2.1.4 of ADN).

11. As regards vocational skills development and in-house training, two retakes are generally allowed in Germany if the examination is failed:

- (a) Vocational Training Act (Federal Act):

Two retakes without having to attend the course again.

- (b) Regulations for the conduct of further training examinations by the competent body of the Federal Ministry of Transport and Digital Infrastructure:

Two retakes without having to attend the course again.

12. According to the conclusions of an informal survey of some other contracting parties and the Danube Commission, the following approaches to regulations on dangerous goods are taken:

- (a) ADN expert examination:
 - Germany: no official decision to date. The number of possible retakes is limited by the number of examination dates usually offered within six months following the completion of the course (in fact, at most two or no opportunities to take the examination again).
 - Austria: several retakes without having to attend the course again (within six months following the completion of the course).
 - Russian Federation: several retakes without having to attend the course again (within six months following the completion of the course).
 - Netherlands: several retakes without having to attend the course again (within six months following the completion of the course).
- (b) ADR driver training examination:
 - Germany: one retake without having to attend the course again.
 - Austria: several retakes without having to attend the course again.
 - Russian Federation: two retakes without having to attend the course again.
 - Netherlands: several retakes without having to attend the course again.
 - France: no retake, with the requirement to attend the course again.
- (c) Dangerous goods safety adviser examination:
 - Germany: one retake without having to attend the course again.
 - Austria: one training course, without the offer of another course.
 - Russian Federation: two retakes without having to attend the course again.
 - Netherlands: one training course, without the offer of another course.
 - France: several retakes within one year following the completion of the course.

III. Safety

13. Several contracting parties already allow multiple retakes without having found, during the transport of dangerous goods, safety issues related to training.

14. However, a maximum of two retakes is generally allowed for specialized vocational training other than that involving the transport of dangerous goods, especially for safety-related activities. This proven practice should also be adopted for the ADN expert examination.

15. Attending a specialization course on gases and chemicals without the expert certificate being physically available does not mean that the prerequisite knowledge will be any less. It is simply a matter of taking into account any administrative delays by the competent authority or examining body in issuing the certificate.

16. From the point of view of transport safety, therefore, this does not raise any concerns about the qualifications of the persons concerned.

IV. Implementation

17. However, if candidates are admitted to the specialization courses without the expert certificate, they will be required to provide other, possibly simplified, proof of having passed the examination.

18. With regard to the possibility of retaking an examination a second time in case of failure, it is up to the contracting party to refer to the next regular examination date scheduled by it or to propose a separate examination date.

19. It may not be possible, for practical reasons, to administer the examination a second time if the first or second sitting of the examination is to take place so late in the six-month period that the competent authority or body of the contracting party organizing the examination is no longer able to propose a date for the examination before the expiry of this period.
