


# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive 1997/0193(COD)	Procedure lapsed or withdrawn
Transport of dangerous goods: vessels on inland waterways  Subject 3.20.04 Inland waterway transport 3.70.13 Dangerous substances, toxic and radioactive wastes (storage, transport)	

Key players	
European Parliament	
Council of the European Union	
European Commission	Commission DG Energy and Transport  Commissioner

Key events			
26/09/1996	Additional information		Summary
15/07/1997	Legislative proposal published	COM(1997)0367	Summary
15/09/1997	Committee referral announced in Parliament, 1st reading		
24/11/1998	Vote in committee, 1st reading		Summary
23/11/1998	Committee report tabled for plenary, 1st reading	<a href="#">A4-0435/1998</a>	
17/12/1998	Debate in Parliament		
18/12/1998	Decision by Parliament, 1st reading	T4-0769/1998	Summary
28/07/1999	Vote in committee, 1st reading		
27/07/1999	Committee report tabled for plenary confirming Parliament's position	<a href="#">A5-0005/1999</a>	
16/09/1999	Decision by Parliament, 1st reading	<a href="#">T5-0015/1999</a>	Summary
23/11/1999	Modified legislative proposal published	COM(1999)0563	Summary
06/08/2004	Additional information		Summary

Technical information	
Procedure reference	1997/0193(COD)

Procedure type	COD - Ordinary legislative procedure (ex-codicedision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (after Amsterdam) EC 071-p1
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	RETT/4/10963; TRAN/4/09269

### Documentation gateway

Legislative proposal	<a href="#">COM(1997)0367</a> <a href="#">OJ C 267 03.09.1997, p. 0096</a>	16/07/1997	EC	Summary
Economic and Social Committee: opinion, report	<a href="#">CES0446/1998</a> <a href="#">OJ C 157 25.05.1998, p. 0015</a>	25/03/1998	ESC	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A4-0435/1998</a> <a href="#">OJ C 398 21.12.1998, p. 0003</a>	24/11/1998	EP	
Text adopted by Parliament, 1st reading/single reading	T4-0769/1998 <a href="#">OJ C 098 09.04.1999, p. 0482-0488</a>	18/12/1998	EP	Summary
Reconsultation	SEC(1999)0581	28/04/1999	EC	
Committee final report tabled for plenary, 1st reading/single reading	<a href="#">A5-0005/1999</a> <a href="#">OJ C 054 25.02.2000, p. 0010</a>	28/07/1999	EP	
Text adopted by Parliament confirming position adopted at 1st reading	<a href="#">T5-0015/1999</a> <a href="#">OJ C 054 25.02.2000, p. 0056-0079</a>	16/09/1999	EP	Summary
Modified legislative proposal	COM(1999)0563 <a href="#">OJ C 150 30.05.2000, p. 0034</a>	24/11/1999	EC	Summary

### Additional information

European Commission	<a href="#">EUR-Lex</a>
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## Transport of dangerous goods: vessels on inland waterways

PREVIOUS COMMUNITY LEGISLATION: the Community, in conferring on conventions and other international standards the force of Community law, has created a regulatory framework for the transport of dangerous goods by water, road and rail. The main texts in this field are: Directive 93/75/EEC of 13 September 1993 concerning minimum requirements for vessels bound for or leaving Community ports and carrying dangerous or polluting goods (OJ L 247, 5.10.1993, p.19), Directive 94/55/EC of 21 November 1994 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road (OJ L 319, 12.12.1994, p.7) and Directive 96/49/EC of 23 July 1996 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail (OJ L 235, 17.9.1996, p.25). PREVIOUS POSITION OF EP: in its resolutions the European Parliament has always stressed the crucial position of safety and the protection of the environment in transport policy: its resolution of 18 January 1994 on the future development of the common transport policy may be cited as one example among many (OJ C 44, 14.2.1994, p.53). In accordance with these opinions, its amendments to the above-mentioned directives have always tended towards the tightening of standards. SITUATION IN THE MEMBER STATES: negotiations are under way aimed at incorporating standards, referred to below, into an international agreement on the equivalent model for standards in road transport.

## Transport of dangerous goods: vessels on inland waterways

OBJECTIVE: the proposal for a Directive seeks to harmonize national and international legislation on the transport of dangerous goods by vessels on inland waterways, parallel to that for road (Directive 94/55/EC) and rail transport (Directive 96/49/EC). This additional harmonization measure is intended to improve transport safety, guarantee fair competition and facilitate transport operations. SUBSTANCE: the main purposes of the proposal are as follows: -to ensure an equal level of safety for transport within Member States and between them, applying to both sectors the Recommendation concerning the international carriage of dangerous goods by inland waterway (ADN) issued by the UN Economic Commission for Europe; -to align Community rules with international standards. The proposed framework directive is binding on all Member States. However, like other Directives on inland navigation, it permits Member States which are not linked to the European

international network to exempt this type of transport from the application of the Directive. Other Member States are authorized not to apply all or part of the Directive where dangerous goods are transported on inland waterways not linked to those of other Member States.?

## Transport of dangerous goods: vessels on inland waterways

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The Committee has adopted the report by Hugh McMAHON (PES, UK), thereby endorsing the Commission proposal for the establishment of standard rules for the transport of dangerous goods by inland waterway throughout the EU as well as to and from non-EU countries. However, the report highlights the conflict of competences between different legal texts which could result from the adoption of the proposed directive. It therefore argues that it would be more efficient for the EU to transpose the ADN Agreement (the Recommendation concerning the International Carriage of Dangerous Goods by Inland Waterway) into its internal legislation. However, since the negotiations on this agreement have not yet produced a definitive text, the report suggests that the ADNR Agreement (the Regulation on the Transport of Dangerous Goods on the Rhine) be incorporated in the Community legal order to cover the period until the new ADN Agreement comes into force.?

## Transport of dangerous goods: vessels on inland waterways

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In adopting its report drafted by Mr. Hugh McMAHON (PES, UK), the European Parliament gave its support to the Commission's proposal for a Directive establishing a uniform system for the transport of dangerous goods by vessels on inland waterways. The Parliament, however, considers that drawing up Community rules using the current ADN recommendation as a basis is not satisfactory, and that such rules will need to be based on the new ADN agreement with a formal legal status, which would have safety standards similar to the existing ADNR Agreement (which applies to the transport of dangerous goods on the Rhine). There would, therefore, be a period until the new ADN agreement comes into force and the Parliament proposes that the provisions of ADNR Agreement should enter into force until the new ADN Agreement is signed.?

## Transport of dangerous goods: vessels on inland waterways

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The European Parliament confirmed its first reading in the context of the codecision procedure of the text that it adopted on 18.12.1998 concerning this proposal for a directive.?

## Transport of dangerous goods: vessels on inland waterways

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Following the European Parliament's first reading, the Commission presents an amended proposal for a directive on approximating Member States' laws on transporting dangerous goods on inland waterways. The Commission accepts the Parliament's amendments 1, 4, 5 and 6. Amendment 1 is an exact reflection of the Commission's views. Amendments 4 and 5 introduce a reference to the future European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN Agreement), although the Commission considers this reference should be introduced in the definition of the ADN rather than in the definition of the ADNR. Amendment 6 makes the safeguard clause more effective. The Commission, however, rejects amendments 2, 3, 7 and 8 because a transitional solution based on the Regulation on the transport of dangerous goods on the Rhine (ADNR) is unnecessary, and the application of the future ADN Agreement can be covered by the present proposal.?

## Transport of dangerous goods: vessels on inland waterways

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As this proposal is no longer of topical interest, it has been withdrawn by the Commission.