


Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	1999/0083(COD) Procedure completed
Transport of dangerous goods by road: standards, European agreement ADR annexes Amending Directive 94/55/EC	1993/0477(SYN)
Subject 3.20.05 Road transport: passengers and freight 3.70.13 Dangerous substances, toxic and radioactive wastes (storage, transport)	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	RETT Regional Policy, Transport and Tourism	PPE-DE KOCH Dieter-Lebrecht	31/08/1999
	Former committee responsible		
	RETT Regional Policy, Transport and Tourism	PPE-DE KOCH Dieter-Lebrecht	31/08/1999
	Former committee for opinion		
	ENVI Environment, Public Health, Consumer Policy	The committee decided not to give an opinion.	
Council of the European Union	Council configuration Transport, Telecommunications and Energy	Meeting 2279	Date 26/06/2000
European Commission	Commission DG Energy and Transport	Commissioner	

Key events			
17/05/1999	Legislative proposal published	COM(1999)0158	Summary
23/07/1999	Committee referral announced in Parliament, 1st reading		
13/12/1999	Vote in committee, 1st reading		Summary
13/12/1999	Committee report tabled for plenary, 1st reading	A5-0104/1999	
17/01/2000	Debate in Parliament		
	Decision by Parliament, 1st reading		Summary

18/01/2000		T5-0006/2000	
19/04/2000	Modified legislative proposal published	COM(2000)0185	Summary
26/06/2000	Council position published	07455/1/2000	Summary
06/07/2000	Committee referral announced in Parliament, 2nd reading		
12/09/2000	Vote in committee, 2nd reading		Summary
12/09/2000	Committee recommendation tabled for plenary, 2nd reading	A5-0234/2000	
21/09/2000	Decision by Parliament, 2nd reading	T5-0390/2000	Summary
10/10/2000	Final act signed		
10/10/2000	End of procedure in Parliament		
01/11/2000	Final act published in Official Journal		

Technical information

Procedure reference	1999/0083(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	Amending Directive 94/55/EC 1993/0477(SYN)
Legal basis	EC Treaty (after Amsterdam) EC 071-p1
Stage reached in procedure	Procedure completed
Committee dossier	RETT/5/12888

Documentation gateway

Legislative proposal	COM(1999)0158 OJ C 171 18.06.1999, p. 0017	17/05/1999	EC	Summary
Economic and Social Committee: opinion, report	CES0844/1999 OJ C 329 17.11.1999, p. 0010	22/09/1999	ESC	
Committee report tabled for plenary, 1st reading/single reading	A5-0104/1999 OJ C 304 24.10.2000, p. 0007	13/12/1999	EP	
Text adopted by Parliament, 1st reading/single reading	T5-0006/2000 OJ C 304 24.10.2000, p. 0021-0055	18/01/2000	EP	Summary
Modified legislative proposal	COM(2000)0185 OJ C 274 26.09.2000, p. 0103 E	19/04/2000	EC	Summary
Council position	07455/1/2000 OJ C 245 25.08.2000, p. 0007	26/06/2000	CSL	Summary
Commission communication on Council's position	SEC(2000)1150	04/07/2000	EC	Summary
Committee recommendation tabled for plenary, 2nd reading	A5-0234/2000 OJ C 146 17.05.2001, p. 0005	12/09/2000	EP	
Text adopted by Parliament, 2nd reading	T5-0390/2000 OJ C 146 17.05.2001, p. 0016-0071	21/09/2000	EP	Summary

Additional information

European Commission

[EUR-Lex](#)

Final act

[Directive 2000/61](#)

[OJ L 279 01.11.2000, p. 0040](#) Summary

Transport of dangerous goods by road: standards, European agreement ADR annexes

PURPOSE: amendment of Council Directive 94/55/EC regarding the transport of dangerous goods by road. CONTENT: Council Directive laid down a number of transitional provisions valid until January 1999 to permit completion of standardisation work being carried out by CEN (European Committee for Standardisation) and amendment of some provisions of the Annexes to the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR). Because of some delays in this work, the time limit fixed in Directive 94/55/EC is not consistent with the current situation, involving short-term problems of application. There are three main short-term problems: - receptacles for transporting Class 2 gases and on tanks; - centre of gravity of tank-vehicles; and - the obligation for the Commission to submit to the Council before 31/12/1998 a report assessing certain safety aspects. The main objective of this proposed amendment to Directive 94/55/EC is to avoid having to amend national legislations for a very brief period, i.e. to avoid expenditure for the Member States and industry without any benefit to the Community. Moreover, provision is made in Directive 94/55/EC for the adaptation of Annexes A and B to technical progress and the Community must ensure the coherence of its legislation, i.e. between the provisions laid down in the articles of a directive and those laid down in the ADR Annexes.?

Transport of dangerous goods by road: standards, European agreement ADR annexes

The committee adopted the report (codecision procedure, 1st reading) by Dieter-Leberecht KOCH (EPP/ED, D) approving the Commission proposal subject to a few amendments. The report welcomed the proposal, the aim of which was to overcome the problem of the delays in the standardisation work carried out by the European Committee for Standardisation (CEN) and the resulting short-term problems of application of Directive 94/55/EC on the approximation of the laws of the Member States regarding the transport of dangerous goods by road. As the dates laid down in the directive could not be met, the Commission was proposing three categories of amendments. The committee agreed with this approach, arguing that inaction on the Community's part would require the Member States to amend their national legislation for a very brief period, until the CEN had completed its work, which would cause unnecessary cost and uncertainty. It therefore recommended that Parliament take on board the (purely technical) amendments proposed by the Commission. The committee adopted inter alia an amendment introducing a new provision to take into account the climate in the northern parts of the EU where temperatures can be lower than minus 20 degrees centigrade (in order to maintain the current safety level in Finland), and also adopted an amendment on comitology. ?

Transport of dangerous goods by road: standards, European agreement ADR annexes

In adopting the report by Mr Koch (EPP/ED, D), the European Parliament approves the Council's common position subject to some amendments. The Parliament introduces a reference to Decision 1999/468/EC regarding procedures for the exercise of implementing powers conferred on the Commission. Article 9 of the Directive is replaced with a provision for a regulatory committee to assist the Commission. It also agrees an amendment to allow for a Member State, in which the ambient temperature is regularly lower than minus 20 degree C, to impose more stringent standards as regards the operating temperature of material for tanks and their equipment and plastic packagings intended for use in the domestic transport of dangerous goods by road within its territory. Another amendment relates to a provision allowing a Member State to authorise the use of vehicles constructed before 01.01.1997 which do not comply with this Directive but which were constructed in accordance with the national requirements in force on 31.12.1996 provided that the vehicles in question are maintained to the required safety levels.?

Transport of dangerous goods by road: standards, European agreement ADR annexes

The Commission's amended proposal accepts 4 amendments adopted by the European Parliament in its first reading. These amendments relate to: - ensuring the coherence of the Directive with Decision 1999/468/EC on comitology; - ensuring the coherence of the Directive with Decision 96/49/EC relating to the transport of goods by rail, as well as with Directive 1999/36/EC relating to transportable pressure equipment; - avoiding a discriminatory situation between vehicles and tanks constructed before or after 01/01/1997 and which are in conformity with legislation in force on the date of construction. It is also worth noting the amendment of the deadline of entry into force of national provisions which has been extended by 1 year (30/06/2001 instead of 30/06/2000).?

Transport of dangerous goods by road: standards, European agreement ADR annexes

Like the Commission's amended proposal, the Council's common position takes on board the four amendments proposed by the European

Parliament which include: - the addition of a new recital; - the addition of a subparagraph; - the amendment of two Articles. The common position further incorporates the following changes fitting in with the objectives of the Commission's amended proposal which aim in particular to: - enable Member States to maintain national provisions on the centres of gravity of tank-vehicles registered within their territories until 30 June 2005; - defer the transitional period for plastic packaging not exceeding 20 litres until 30 June 2001 at the latest. The Council considers that this derogation does not constitute a barrier to intra-Community trade as it applies to small packaging used for local distribution operations involving the ultimate consumers; - limit in time the period during which Member States may notify the Commission of derogations for the transport of small quantities of certain dangerous goods within their territory and also for local transport operations.?

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The Common position adopted by the Council incorporates all Parliament's amendments. The other changes are consistent with the objectives of the Commission proposal (indents 1 and 3 of point 3.3). The Commission accepts the new derogation for plastic packaging not exceeding twenty litres in capacity (indent 2 of point 3.3) since such packaging is used for distribution to the final consumer, so the derogation does not constitute a barrier to trade within the Community. Consequently, the Commission delivers a favourable opinion of the common position as a whole.?

Transport of dangerous goods by road: standards, European agreement ADR annexes

The committee adopted the recommendation for second reading (under the codecision procedure) by Dieter-Lebrecht KOCH (EPP-ED, D) approving the Council's common position on amending Directive 94/55/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road. The committee decided not to table any amendments, as the Council had incorporated all Parliament's amendments from first reading in its text.?

Transport of dangerous goods by road: standards, European agreement ADR annexes

The European Parliament approved the Council's common position.?

Transport of dangerous goods by road: standards, European agreement ADR annexes

PURPOSE : to solve the problems concerning the application of certain provisions concerning the carriage of dangerous goods by road. COMMUNITY MEASURE : Directive 2000/61/EC of the European Parliament and of the Council Directive 94/55/EC on the approximation of laws of the Member States with regard to the transport of dangerous goods by road. CONTENT : this Directive aims to solve the problems concerning the application of certain transitional measures provided for by Directive 94/55/EC which is valid until 31 December 1998. It also aims to ensure the coherence between certain provisions of Directive 94/55/EC and aims to amend the annexes of the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR). ENTRY INTO FORCE : 01/11/2000. DEADLINE FIXED FOR THE TRANSPOSITION : 01/05/2001.?