

# Procedure file

Basic information	
<p>COD - Ordinary legislative procedure (ex-codecision procedure) Directive</p> <p>1999/0087(COD)</p>	Procedure completed
<p>Transport of dangerous goods by rail</p> <p>Amending Directive 96/49/EC <a href="#">1994/0284(SYN)</a></p>	
<p>Subject</p> <p>3.20.02 Rail transport: passengers and freight</p> <p>3.70.13 Dangerous substances, toxic and radioactive wastes (storage, transport)</p>	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>RETT</b> Regional Policy, Transport and Tourism		31/08/1999
		PPE-DE <a href="#">HATZIDAKIS Konstantinos</a>	
	Former committee responsible		
	<b>RETT</b> Regional Policy, Transport and Tourism		31/08/1999
		PPE-DE <a href="#">HATZIDAKIS Konstantinos</a>	
	Former committee for opinion		
	<b>ENVI</b> Environment, Public Health, Consumer Policy	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Transport, Telecommunications and Energy</a>	<a href="#">2279</a>	26/06/2000

Key events			
17/05/1999	Legislative proposal published	COM(1999)0157	Summary
23/07/1999	Committee referral announced in Parliament, 1st reading		
13/10/1999	Vote in committee, 1st reading		Summary
13/10/1999	Committee report tabled for plenary, 1st reading	<a href="#">A5-0027/1999</a>	
28/10/1999	Debate in Parliament		
29/10/1999	Decision by Parliament, 1st reading	<a href="#">T5-0086/1999</a>	Summary
27/06/2000	Council position published	<a href="#">07456/1/2000</a>	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	<a href="#">A5-0229/2000</a>	
21/09/2000	Decision by Parliament, 2nd reading	<a href="#">T5-0391/2000</a>	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	1999/0087(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	Amending Directive 96/49/EC <a href="#">1994/0284(SYN)</a>
Legal basis	EC Treaty (after Amsterdam) EC 071-p1
Stage reached in procedure	Procedure completed
Committee dossier	RETT/5/12889

## Documentation gateway

Legislative proposal		<a href="#">COM(1999)0157</a> <a href="#">OJ C 181 26.06.1999, p. 0025</a>	17/05/1999	EC	Summary
Economic and Social Committee: opinion, report		<a href="#">CES0845/1999</a> <a href="#">OJ C 329 17.11.1999, p. 0011</a>	22/09/1999	ESC	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A5-0027/1999</a> <a href="#">OJ C 154 05.06.2000, p. 0006</a>	13/10/1999	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T5-0086/1999</a> <a href="#">OJ C 154 05.06.2000, p. 0353-0365</a>	29/10/1999	EP	Summary
Council position		<a href="#">07456/1/2000</a> <a href="#">OJ C 245 25.08.2000, p. 0014</a>	27/06/2000	CSL	Summary
Commission communication on Council's position		SEC(2000)1151	04/07/2000	EC	Summary
Committee recommendation tabled for plenary, 2nd reading		<a href="#">A5-0229/2000</a> <a href="#">OJ C 146 17.05.2001, p. 0005</a>	12/09/2000	EP	
Text adopted by Parliament, 2nd reading		<a href="#">T5-0391/2000</a> <a href="#">OJ C 146 17.05.2001, p. 0016-0072</a>	21/09/2000	EP	Summary

## Additional information

European Commission	<a href="#">EUR-Lex</a>
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## Final act

## Transport of dangerous goods by rail

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**PURPOSE:** proposal to amend Directive 96/49/EC regarding the transport of dangerous goods by rail with the purpose of solving problems that will arise after 01/01/1999 concerning the application of certain transitional measures. **CONTENT:** Directive 96/49/EC on the transport of dangerous goods by rail came into force on 01/01/1997. The Directive provides for certain transitional measures valid until 01/01/1999, so as to permit the finalisation of certain standardisation work by CEN (European Committee for Standardisation). Given the delay in this work, the deadline laid down in Directive 96/49/EC is no longer consistent with the current situation, giving rise to short-term problems of application. These problems concern measures relating to receptacles for transporting Class 2 gases and on tanks. The objective of the modification of Directive 94/55 is to avoid the amendment of national laws for a very short period : amending Community legislation is more efficient than amending national legislations for a very brief period. It is therefore proposed to: - replace the deadlines as specified by 30 June 2001 and 1 July 2001 respectively by allowing the Committee under Art. 9 to postpone those deadlines in respect of certain equipment; - amend the procedure for the acceptance of derogations; - specify the conditions on which a transport operation can be considered an ad hoc transport operation.?

## Transport of dangerous goods by rail

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The committee adopted a report (first reading, codecision procedure) by its chairman Kostas HATZIDAKIS (EPP/ED, GR) approving the Commission proposal. The report stressed that the general public took a great interest in the transport of dangerous goods and measures relating to such transport. The main objective of any EU legislation in this field should be to ensure quality and high safety standards. The rapporteur regretted, however, that standards for class 2 gases had not yet been agreed by the European Committee for Standardisation. In all Member States there were various provisions in industrial and transport law concerning the packing and transporting of these gases. National regulations could be very different, which would lead to a fragmentation of the market incompatible with the single market. It was therefore difficult to explain to the general public why the necessary common European standards had not yet been incorporated into EU legislation.?

## Transport of dangerous goods by rail

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The European Parliament, in its first reading, approved the Commission proposal for a Directive to amend Directive 96/49/EC regarding transport of dangerous goods by rail without amendment. Parliament's Rapporteur was Mr. Konstantinos Hatzidakis (EPP, Greece).?

## Transport of dangerous goods by rail

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The Council's common position is broadly in line with the Commission's proposal. The European Parliament approved the Commission proposal without amendments. The first three changes made by common position to the proposal draw on the amendments proposed by the European Parliament to the Commission proposal amending Directive 94/55/EC, these aim in particular: - to bring the text of the Directive into line with Council Decision 1999/468/EC on committee procedure; - to ensure a consistency between the wording and a similar provision concerning the operating temperature of materials used for plastic packaging, tanks and their equipment, as contained in the Council's common position on the proposal on transport by road; - avoid discrimination between rail wagons and tanks constructed before or after 1 June 1997 and conforming to legislation in force on the date of construction, and to ensure consistency between the Directive and the common position on transport and road. In addition, a further amendment is included which is designed to enable Member States to authorise derogations for the transport of small quantities of certain dangerous goods within their territory, subject to advance notification of those derogations to the Commission.?

## Transport of dangerous goods by rail

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The main change made by the common position is consistent with the objectives of the Commission proposal (indent 3 of point 3.3). The purpose of the other amendments is to ensure consistency between Directive 96/49/EC and Directive 94/55/EC, following the European Parliament's amendments to the proposal amending the latter. Consequently, the Commission delivers a favourable opinion on the common position as a whole. ?

## Transport of dangerous goods by rail

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The committee adopted the recommendation for second reading (under the codecision procedure) by Kostas HATZIDAKIS (EPP-ED, GR) approving the Council's common position on amending Directive 96/49/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail. The report stressed that the safe transport of these goods was in the interests of the general public. The committee took the view that the common position could be adopted unamended, as Council had incorporated the Commission's proposals in its final text and had introduced only minor changes. ?

## Transport of dangerous goods by rail

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

## Transport of dangerous goods by rail

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PURPOSE : to resolve the problems that may arise concerning the application of certain transitional measures relating to the transport of dangerous goods by rail. COMMUNITY MEASURE : Directive 2000/62/EC of the European Parliament and of the Council amending Council Directive 96/49/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail. CONTENT : the Directive on the transport of dangerous goods by rail aims essentially at clearly specifying certain derogations provided in Directive 96/49/EC, concerning a transitional measure for certain receptacles and tanks. ENTRY INTO FORCE : 01.11.2000. DEADLINE FIXED FOR THE TRANSPOSITION : 01.05.2001.?