

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Transport of dangerous goods by road: uniform procedures for checks. Codification	
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 JURI Legal Affairs	Rapporteur	Appointed 01/07/2022
		 DZHAMBAZKI Angel	
Council of the European Union European Commission European Economic and Social Committee European Committee of the Regions	Commission DG Justice and Consumers	Commissioner VON DER LEYEN Ursula	

Key events			
19/08/2021	Legislative proposal published	COM(2021)0483	Summary
13/09/2021	Committee referral announced in Parliament, 1st reading		
05/09/2022	Vote in committee, 1st reading		
06/09/2022	Committee report tabled for plenary, 1st reading	A9-0228/2022	
13/09/2022	Results of vote in Parliament		
13/09/2022	Decision by Parliament, 1st reading	T9-0303/2022	Summary
04/10/2022	Act adopted by Council after Parliament's 1st reading		
19/10/2022	Final act signed		
24/10/2022	Final act published in Official Journal		

Technical information

Procedure reference	2021/0275(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Codification
Legislative instrument	Directive
Legal basis	Treaty on the Functioning of the EU TFEU 091-p1
Other legal basis	Rules of Procedure EP 159
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	JURI/9/07091

Documentation gateway

Legislative proposal	COM(2021)0483	19/08/2021	EC	Summary
Economic and Social Committee: opinion, report	CES4720/2021	20/10/2021	ESC	
Committee draft report	PE732.643	26/08/2022	EP	
Committee report tabled for plenary, 1st reading/single reading	A9-0228/2022	06/09/2022	EP	
Text adopted by Parliament, 1st reading/single reading	T9-0303/2022	13/09/2022	EP	Summary
Draft final act	00022/2022/LEX	19/10/2022	CSL	

Final act

[Directive 2022/1999](#)
[OJ L 274 24.10.2022, p. 0001](#)

Transport of dangerous goods by road: uniform procedures for checks. Codification

PURPOSE: to establish uniform procedures for checks on the transport of dangerous goods by road (codification of Council Directive 95/50/EC).

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: In the interests of clarity and transparency of the law, the purpose of the proposal is to undertake a codification of Council Directive 95/50/EC on uniform procedures for checks on the transport of dangerous goods by road, which has been substantially amended several times. The new Directive will supersede the various acts incorporated in it, without in any way detracting from their content, and will simply bring them together with only such formal amendments as are required by the codification exercise itself.

CONTENT: the proposal introduces a uniform system of checks at European level for vehicles carrying dangerous goods by road to ensure a high level of safety. Its main elements are the following:

Scope

The Directive applies to the checks which Member States carry out on the transport of dangerous goods by road using vehicles travelling on their territory or entering it from a third country. It does not apply to the transport of dangerous goods by vehicles belonging to the armed forces.

The checks in question should apply to all consignments of dangerous goods transported by road wholly or partly within the territory of the Member States, irrespective of the point of departure or the destination of the goods or the country in which the vehicle is registered.

Member States should ensure a sufficient level of checks on the vehicles concerned throughout their territory while, where possible, avoiding

the proliferation of such checks.

Checklist

Member States should use the checklist in Annex I of the Directive to carry out the checks. The checks should be random and should cover as much of the road network as possible.

The places chosen for the checks must permit infringing vehicles to be brought into compliance or, if the authority carrying out the check deems it appropriate, to be immobilised on-the-spot or at a place designated for that purpose by the said authority without causing a safety hazard.

Checks may also be carried out in undertakings as a preventive measure or when infringements endangering the safety of the transport of dangerous goods have been recorded at the roadside.

Infringements

Where one or more infringements, including those listed in Annex II of the Directive, are detected during the transport of dangerous goods by road, the vehicles concerned should be immobilised, either on the spot or at a designated place, and be required to comply with the regulations before continuing their journey. Vehicles may also be refused entry into the EU.

The list of infringements comprises three risk categories. Category I covers the most serious risks, such as the transport of prohibited dangerous goods, leakage of dangerous substances, carriage in a vehicle without a certificate of approval, and non-approved vehicles or packaging.

Mutual assistance

Member States should assist each other in the proper application of the Directive. Serious or repeated infringements committed by a non-resident vehicle or undertaking should be reported to the competent authorities of the Member State of registration of the vehicle or establishment of the undertaking.

Annual report

For each calendar year, each Member State should send the Commission, in accordance with the standardised form set out in Annex III to the Directive, a report containing the following information:

- if possible, the determined or estimated volume of dangerous goods transported by road in tonnes transported or in tonnes/kilometres;
- the number of checks carried out;
- the number of vehicles checked by place of registration (vehicles registered nationally, in other Member States or in third countries);
- the number of infringements recorded according to risk category;
- the type and number of penalties imposed.

Transport of dangerous goods by road: uniform procedures for checks. Codification

The European Parliament adopted by 598 votes to 1, with 5 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council on uniform procedures for checks on the transport of dangerous goods by road (codified text).

Parliament adopted its position at first reading in accordance with the ordinary legislative procedure.

In the opinion of the Consultative Working Party of the Legal Services of the European Parliament, the Council and the Commission, the proposal in question is a straightforward codification of the existing texts, without any change in their substance.

The Directive introduces a uniform system of checks at European level on vehicles carrying dangerous goods by road to ensure a high level of safety. It applies to checks carried out by Member States on the transport of dangerous goods by road in vehicles travelling in their territory or entering it from a third country. It does not apply to the transport of dangerous goods by vehicles belonging to or under the responsibility of the armed forces.

The Directive:

- obliges Member States to ensure a sufficient level of checks on the vehicles concerned throughout their territory while, where possible, avoiding the proliferation of such checks;
- provides for checks to be carried out using a list of common items applicable to the transport of dangerous goods throughout the Union;
- establishes a list of infringements deemed sufficiently serious by all Member States to result in the application to the vehicles concerned of appropriate measures depending on the circumstances or the requirements of safety. The vehicles concerned may be immobilised either on-the-spot or at a place designated for that purpose by the authorities carrying out the check, and required to be brought into conformity before continuing their journey or may be subject to other appropriate measures, depending on the circumstances or the requirements of safety including, where appropriate, refusal to allow such vehicles to enter the Union;
- provides for checks on undertakings as a preventive measure or where serious infringements of the legislation on the transport of dangerous goods have been detected at the roadside in order to ensure compliance with the safety standards for the transport of dangerous goods by road;
- stipulates that the checks in question will cover all transport of dangerous goods by road carried out, in whole or in part, on the territory of the Member States, irrespective of the place of origin or destination of the goods or the country of registration of the vehicle;
- provides that in the event of serious or repeated infringements, the competent authorities of the Member State in which the vehicle is registered or the undertaking is established may be asked to take appropriate measures against offenders and to inform the requesting Member State of the action taken;

- lays down (i) if possible, the determined or estimated volume of dangerous goods transported by road, in tonnes transported or in tonnes/kilometres; (ii) the number of checks carried out; (iii) the number of vehicles checked by place of registration (vehicles registered nationally, in other Member States or in third countries); (iv) the number of infringements recorded according to risk category; (v) the type and number of penalties imposed.