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Item 6 (c) of the provisional agenda

Proposals for amendments to Annexes A and B of ADR:

New proposals

Training of drivers

Transmitted by the Government of Switzerland¹

Summary

- Executive summary:** Holders of specialization training course certificates for Class 1 and Class 7 substances should not be excluded under 8.2.1.2 and 8.2.1.3 from attending restricted basic training courses, and holders of non-restricted basic training course certificates who have also attended a restricted training course should not be excluded under 8.2.1.2 and 8.2.1.3 from attending specialization training courses for Class 1 and Class 7 substances.
- Action to be taken:** Specify directly in 8.2.1.4 which training opens the way to the specialization courses mentioned in 8.2.1.4.

¹ The present document is submitted in accordance with paragraph 1 (c) of the terms of reference of the Working Party, as contained in document ECE/TRANS/WP.15/190/Add.1, which provides a mandate to “develop and update the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR)”.

Introduction

1. The last sentences in 8.2.1.2 and 8.2.1.3, which read “These restricted basic training courses shall not be provided for drivers of vehicles referred to in 8.2.1.4” and “These restricted tank specialization training courses shall not be provided for drivers of vehicles referred to in 8.2.1.4”, are not easy to interpret.
2. The placement of these requirements in the text makes little sense, as the sentence seems to imply that persons who have already attended the courses referred to in 8.2.1.4 do not have the right to attend restricted training courses, which is unjustified. In fact, drivers with specialization training course certificates according to 8.2.1.4 must successfully complete a “general” basic training course, followed by a specialization training course for Class 1 or Class 7. For a reason that is simply beyond our comprehension, they would subsequently not be allowed to attend a restricted training course (for example on Class 2 substances or on tanks for petroleum products) if they were required to do so by a new employer for work-related reasons, and would thus be unable to obtain a certificate mentioning such restricted training.
3. In fact the intended meaning of the last sentence in 8.2.1.2 and 8.2.1.3 is that the specialization courses mentioned in 8.2.1.4 should be preceded by a basic course for all classes (a “general” basic course), or possibly that the restricted basic training courses do not confer the right to acquire a Class 1 or Class 7 specialization course certificate.
4. In addition, if a driver has completed a “general” basic training course and has then added to it with subsequent training in a restricted training course, why would that driver no longer have the right to receive the training referred to in 8.2.1.4? The last sentence of 8.2.1.2 precludes the driver from doing so.
5. There is another inconsistency stemming from the positioning of the text, in 8.2.1.3, which allows a driver who has completed a “general”, i.e. non-restricted, basic course to attend a restricted tank specialization training course. Why should the same driver not be able to take a specialization training course and acquire ADR driver training certification for Class 1 and Class 7, while drivers who have attended the same “general” basic training course, but not a restricted tank specialization training course, are able to receive such training?
6. To avoid these problems of interpretation, we believe the training that opens the way to the specialization training mentioned in 8.2.1.4 should be mentioned directly in 8.2.1.4. The following could be added to the text, for example:

Proposal

7. Change the text of 8.2.1.4 as follows (the amended text appears in bold and underlined):

“8.2.1.4 Drivers of vehicles carrying substances or articles of Class 1, other than substances and articles of Division 1.4, compatibility group S (see additional requirement S1 in Chapter 8.5), drivers of MEMU carrying mixed loads of substances or articles of Class 1 and substances of Class 5.1 (see 7.5.5.2.3) and drivers of vehicles carrying certain radioactive material (see special provisions S11 and S12 in Chapter 8.5) **shall pass the examinations entitling them to a training certificate corresponding to a non-restrictive basic course**”

and shall attend specialization training courses covering at least the subjects defined in 8.2.2.3.4 or 8.2.2.3.5.”

Consequential amendments: delete the last sentence in 8.2.1.2 and 8.2.1.3.

Justification

8. The last sentence of 8.2.1.2 and 8.2.1.3, which should indicate that it is prohibited to obtain a specialization training certificate based on a restricted basic course, becomes unnecessary. This is advantageous in that, regardless of whether a person has additional restricted (basic or tank) training, anyone holding a (general) non-restricted basic training certificate will have the right to obtain a Class 1 or Class 7 specialization training certificate.
