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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 8.4.2008
COM(2008)193 final

2006/0278 (COD)

**COMMUNICATION FROM THE COMMISSION
TO THE EUROPEAN PARLIAMENT**

pursuant to the second subparagraph of Article 251 (2) of the EC Treaty

concerning the

**common position of the Council on the adoption of a directive on the inland transport of
dangerous goods**

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1. BACKGROUND

Date of transmission of the proposal to the EP and the Council 22.12.2006
(document COM(2006) 852 final – 2006/0278COD):

Date of the opinion of the European Economic and Social 11.07.2007
Committee:

Date of the opinion of the European Parliament, first reading: 05.09.2007

Date of adoption of the common position: 07.04.2008

2. OBJECTIVE OF THE COMMISSION PROPOSAL

The objective of the proposed directive adopted on 22 December 2006 is to ensure the safe and secure transport of dangerous goods within the European Union.

The proposed directive updates and simplifies the existing rules for the transport of dangerous goods by integrating the rules into a single harmonised directive. The scope of the directive is also extended to include inland waterways for the first time, thereby providing a single set of rules for all land transport of dangerous goods in Europe.

3. COMMENTS ON THE COMMON POSITION

The Common Position adopted by the Council on 7 April 2008 reflects the compromise text agreed by all three institutions.

The European Parliament and Council made several amendments to the proposed Directive. A package of compromise amendments was adopted by the European Parliament Plenary in September 2007. The amendments were agreed by all three institutions and it was expected that the proposed directive could be agreed at first reading. However, two minor omissions were discovered in the operative part of the text adopted by the EP (corresponding recitals were adopted). The texts concerning the application of rules for reasons other than safety and the financing of translations were omitted. These omissions were simply errors, there was no disagreement on the substance of the texts. The omissions were discovered too late to be

corrected during the first reading procedure and thereby necessitated the Council to adopt a common position.

The text of the two omissions are as follows:

Article 1(5)

Member States may regulate or prohibit, strictly for reasons other than safety during transport, the transport of dangerous goods within their territory

Article 8(2)

The Commission shall provide financial support, as appropriate, to the Member states for the translation of the ADR, RID and ADN and their modifications into their official language.

4. CONCLUSION

The Council adopted its common position unanimously. The Commission considers that the Common position reflects all of the main objectives of its proposal and the result of the interinstitutional negotiations.