



State Railway  
Technical Inspectorate  
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# The adaptation necessary to become a Member State

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# To become a Member State *(Experience of Latvia)*

Legislation

Competent authorities

Implementation

Challenges



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# EU legislation

(general)

## Dangerous goods:

- Directive 2008/68/EC on the inland transport of dangerous goods
- Directive 2010/35/EU on transportable pressure equipment

## 4<sup>th</sup> Railway package:

- Directive (EU) 2016/797 on the interoperability of the rail system within the European Union
- Directive (EU) 2016/798 on railway safety



# Directive 2008/68/EC

## Article 3

The transport of dangerous goods shall be authorised, subject to **compliance with the conditions laid down in ADR, RID and ADN.**

## Article 4

The transport of dangerous goods between Member States and **third countries** shall be authorised in **so far as it complies with the requirements of the ADR, RID or ADN**, unless otherwise indicated in the Annexes.



# Directive 2008/68/EC

Annex II.2 to the Directive contains the following transitional measures

8. A Member State may maintain and adopt provisions for its territory on the transport of dangerous goods by rail from and to contracting parties of the OSJD. By means of appropriate measures and obligations the Member States concerned shall guarantee the maintenance of a level of safety equivalent to that provided for in RID.

**It means that SMGS Annex 2 is allowed for carriage from or to third countries only**



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# Legislative framework of Latvia

- **Law on the Movement of Dangerous Goods (All modes of transport)**
- Legislative acts for each mode of transport (carriage by road, carriage by rail, etc.).
- Legislation relating to conformity assessment and technical control of equipment, etc. (including for the carriage of dangerous goods). Example: Rules of Cabinet of Ministers on transportable pressure equipment.
- Legislation regarding DGSA (road and rail)
- Legislative acts relating to the control over the carriage of dangerous goods.



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# **DG legislation in Latvia**

## **Law on the Movement of Dangerous Goods (All modes of transport)**

- Application of international agreements (for example, RID in Latvia)
- Competence of governmental bodies of Latvia as competent authorities specified in international agreements.



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# Competent authorities

- Ministry of Transport
- Ministry of Economics
- Ministry of the Interior
- Ministry of Environmental Protection and Regional Development

Advisory Council for the Carriage of Dangerous Goods





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# Ministry of Transport

Coordinate the activities of government institutions involved in the provision, supervision and control of the carriage of dangerous goods in the field of the carriage of dangerous goods and as coordination authority shall cooperate with international organizations and institutions of other states

**Main competent authority** referred to in the international agreements, unless it has been otherwise specified in this Law.



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# State railway technical inspectorate (NSA LV)

All applicable NSA tasks including

- Supervision of performance of safety and security measures (including measures on prevention, reaction, and liquidation of consequences) in the carriage of dangerous goods by rail;
- Administration of DGSA certification;
- Supervision of work of DGSA in enterprises;
- Audits of enterprises which deals with carriage of dangerous goods (loaders, fillers, consignor, etc.)



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# Ministry of Economics and Latvian National Accreditation Bureau

Accreditation and supervision of conformity assessment bodies (inspections and tests of transportable pressure equipment, tanks for carriage of dangerous goods, etc.)

Conformity assessment bodies (accredited enterprises) – carry out conformity assessment, inspections and tests specified in RID



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# Ministry of the Interior

## State Fire and Rescue Service

Carries out rescue operations and eliminates the consequences of accidents during the carriage of dangerous goods



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# Ministry of Environmental Protection and Regional Development

Competent authority:

- the field of waste management
- issues related to the carriage of radioactive materials.



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# Implementation

## **Qualified personnel is the most important task**

- Safety Adviser Training and Qualification system
- Training of other employees in accordance with the requirements of Chapter 1.3
- Training of employees of the competent authorities,
- Training for conformity assessment institutions and inspection bodies



# Challenges (in our view)

Within CIS countries national legislation is used which differs from international agreements

Persons, who are involved in carriage and supervision of dangerous goods, have very low level of education in international provisions

Because of differences in national legislation and international agreements, CIS countries use international agreements of carriage of dangerous goods with their own interpretation



# SMGS Annex 2

**SMGS Annex 2 is allowed for carriage from or to third countries only.**

**But correct implementation and use of SMGS Annex 2 is first step to implementation of RID.**

*When SMGS Annex 2 is correctly implemented there are no differences from RID:*

- *Classification of dangerous goods;*
- *Requirements for construction, marking and labelling of packages*
- *Requirements for portable tanks*
- *Requirements for general information in the transport documents etc.*

*In the other fields differences are more procedural not technical.*





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# Challenges

**SMGS Annex 2 allows use of all procedures of RID.**

**For implementation of RID the procedures of RID must be used instead of SMGS procedures, for example, for conformity assessment and inspections, for transport documents, etc.**



# Challenges

**Main differences what is necessary to consider:**

- **Roles and responsibilities of all actors in the carriage of dangerous goods**
- **Real third-party conformity assessment and inspections**
- **Information in the transport document**
- **Use of emergency cards system**
- **Mixed loading provisions**



# Challenges

## **Construction of tanks wagons of gauge 1 520 mm?**

Annex II.2 to the Directive contains the following transitional measure

2. Within its territory each Member State may authorise the use of wagons and tank wagons of gauge 1520 /1524 mm constructed before 1 July 2005 which do not comply with this Directive but were constructed in accordance with Annex II to the SMGS or with that Member State's national provisions in force on 30 June 2005, provided that those wagons are maintained to the required safety levels.



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# Questions?



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# Many thanks for your attention!

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