

OTIF



**ORGANISATION INTERGOUVERNEMENTALE POUR
LES TRANSPORTS INTERNATIONAUX FERROVIAIRES**

**ZWISCHENSTAATLICHE ORGANISATION FÜR DEN
INTERNATIONALEN EISENBAHNVERKEHR**

**INTERGOVERNMENTAL ORGANISATION FOR INTER-
NATIONAL CARRIAGE BY RAIL**

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Subject: 1.9.2 – Alternative routes

Proposal transmitted by the International Union of Railways (UIC)

Introduction

Among other things, RID 1.9.2 gives competent authorities the possibility of laying down additional provisions, restrictions to enhance safety, special conditions or transport prohibitions for certain dangerous goods on railway lines with special and local risks. According to RID 1.9.3, this presupposes that the competent authority provides evidence of the need for measures (cf. Generic Guideline for the Calculation of Risk due to Railway Transport of Dangerous Goods).

Unfortunately, some difficulties have arisen in interpreting certain provisions of Chapter 1.9.

UIC therefore welcomes the suggestion from the Secretariat of OTIF in document OTIF/RID/CE/2007/1 to align the English and French versions of 1.9.2 with the original German text. This will make clear that the alternative routes to be laid down in accordance with 1.9.2 (b) must be railway routes.

In connection with this, UIC would like to point out that there are many routes in the various Member States for which no alternative route is available at all, e.g. lines leading to ports or those leading to premises belonging to the chemical industry.

According to the second sentence of RID 1.9.2 (b), the competent authorities must, “where possible”, establish alternative routes in respect of all measures designed to reduce risks on a particular route, i.e. both in respect of planned operational restrictions and intended prohibitions. The wording “which may be used for each prohibited route or each route subject to special provisions” makes it clear that in principle, alternative routes must be established even for routes subject to special operational conditions.

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The UIC therefore considers that it is not permissible to prohibit routes for which there is no alternative route at all. In such a case, the risk must be limited by means of other suitable measures. This view is corroborated by the following remark made by the representative of France at the RID Committee of Experts' "Chapter 1.9" working group meeting (Würzburg, 23 and 24 June 2003):

"The representative of France proposed giving the Member States either the opportunity of establishing a detour route or of formulating the safety technology conditions under which a line with risks may be used, i.e. to define a higher level of safety for certain lines." (cf. paragraphs 22 and 23 of the final report A 81-03/508.2003)

It is also stated in the "note on the previous French version" in document OTIF/RID/CE/2007/1 that when revising RID Chapter 1.9, it was never the intention to shift transport to the roads or inland waterways. However, if railway routes are prohibited, and there is no alternative railway route, such a modal shift would be inevitable.

Proposal

In order to clarify matters, UIC suggests supplementing the text of 1.9.2 (b) with the following sentence on the basis of the text of the last indent of 1.9.1:

"These provisions may not result in the prohibition of carriage by rail of the dangerous goods covered by these provisions on routes for which there is no alternative route or no suitable alternative route."
