II

(Preparatory Acts)

COMMISSION

Amended proposal for a Council Directive on uniform procedures for checks on the transport of dangerous goods by road

(94/C 238/04)

(Text with EEA relevance)

COM(94) 340 final — SYN 487

(Submitted by the Commission pursuant to Article 189a (2) of the EC Treaty on 29 July 1994)

The proposal from the Commission forming the subject of document COM(93) 665 final — SYN 487 [1] is hereby amended as follows:

[1] OJ No C 26, 29. 1. 1994, p. 10.

ORIGINAL TEXT	AMENDED TEXT
Amendment No 1	
	Recital 7a
	(new)
	Whereas it is necessary to monitor the enforcement of these provisions with a view to achieving common standards across the Community;
Amendment No 2	
Article 2, second indent	
— 'undertakings' means any natural person, whether or not profit-seeking, any association or group of persons without legal personality, whether or not profit-seeking, and any body coming under a public authority, whether itself possessing legal personality or dependent on an authority having such personality, which carry, load, or unload dangerous goods or cause them to be carried, and those which store, collect, package or take delivery of such goods for their later conveyance, which are located in the territory of the Community,	— 'undertakings' means any natural person, whether or not profit-seeking, any association or group of persons without legal personality, whether or not profit-seeking, and any body coming under a public authority, whether itself possessing legal personality or dependent on an authority having such personality, which carry, load, or unload dangerous goods or cause them to be carried, and those which temporarily store, collect, package or take delivery of such goods as part of a transport operation, which are located in the territory of the Community,

ORIGINAL TEXT	AMENDED TEXT
Amendment No 3	
Article 4 (c)	
(c) These places shall be selected so as to make it possible to bring infringing vehicles into compliance or to immobilize them without causing a safety hazard.	(c) These places shall be selected so as to make it possible to bring infringing vehicles into compliance or, when the authority which carries out the check considers it to be appropriate, to immobilize them without causing a safety hazard.
Amendment No 4	
Article 4 (d)	
(d) Where appropriate, samples of the goods transported may be taken for examination by recognized laboratories.	(d) Where appropriate, samples of the goods transported may be taken for examination by a laboratory recognized by the competent authorities.
Amendment No 5	
Article 6 (1)	
1. Checks may also be carried out at the premises of undertakings, in particular where infringements which jeopardize safety in the transport of dangerous goods have been recorded on the road.	Not applicable to English version.
Amendment No 6	
Article 10 (1), first subparagraph	
1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 1995. They shall forthwith inform the Commission thereof.	1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 1996. They shall forthwith inform the Commission thereof.
Amendment No 7	
Annex I, 'Vehicle equipment' title and item 22a (new)	
Vehicle equipment	Vehicle equipment and condition
	22a. Vehicle condition shall comply with marginal 10 282 of the ADR.

Remainder unchanged