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Agenda item 6 (a) of the provisional agenda

Proposals for amendments to annexes A and B of ADR: pending issues

Chapter 8.2: Driver's training

Transmitted by the governments of France, United Kingdom and Sweden*

Summary

Executive summary: The text in section 8.2.2 could be rationalized and more user-friendly.

Action to be taken: Assemble all provisions of a more general nature in the beginning of a sub-section in order to avoid them being repeated. Harmonize the expressions where needed.

Related documents: ECE/TRANS/WP.15/201, paragraph 29,
Informal document INF.8 and Addendum 1 (eighty-seventh session),
ECE/TRANS/WP.15/203, paragraphs 45–46.

Introduction

1. At the last session in November 2009, several delegations expressed their support to the approach of restructuring the texts concerning the training of drivers. The secretariat indicated that, for an entry into force on 1 January 2011, the texts should be available for

* 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)".

possible adoption in the three working languages at this session, and the Working Party should adopt them without significant amendment so that they could be taken into consideration in the list of amendments to be submitted for notification.

2. The governments of France, United Kingdom and Sweden have tried, as far as possible, to put together a proposal which only aims at streamlining the text. However, some minor amendments to the text have been necessary in order to achieve a comprehensive result.

3. Furthermore, considering decisions taken during the two previous sessions to harmonize expressions etc, such amendments have also been included in our proposal. These proposals for amendments consist in including the word "training" in relevant places and to delete references to organizations recognized by the competent authority (in accordance with a principle which was adopted at the eighty-sixth session after a proposal from the Government of the United Kingdom).

Proposals

4. Below follow our proposals for amendments and comments. A consolidated text including the amendments proposed below is reproduced in informal document INF.4. That consolidated text includes the draft amendments to annexes A and B of ADR adopted by the Working Party at its eighty-seventh session in November 2009.

8.2.1 Amend the heading to read as follows:

"8.2.1 Scope and general requirements".

Comment:

We believe this heading better reflects the content of this sub-section. The heading of chapter 8.2 already reflects the fact that the all chapter is dealing with the training of drivers.

8.2.1.6 Amend to read as follows:

"8.2.1.6 *Deleted.*".

Comment:

This text deals with the structure of training and should be transferred to the proposed new 8.2.2.3.2.

8.2.1.7 At the beginning replace "Initial training courses, refresher training courses" with "All training courses".

Comment:

The word "training" covers both the initial and the refresher training (compare wording in current sub-section 8.2.2.6.1). The text could therefore be simplified.

8.2.1.8 Replace "8.2.2.8.3" with "8.2.2.8".

Comment:

We believe that there are more paragraphs that relate to the conditions for the issuing of a certificate. Referring to sub-section 8.2.2.8 therefore seems more appropriate.

- 8.2.2 Amend the heading to read as follows:
"8.2.2 Special requirements".

Comment:

As reflected in the heading of the chapter, the whole chapter is dealing with the training of drivers. For this reason, we believe this does not have to be repeated.

- 8.2.2.2 At the beginning, replace "training provider" with "training body".

Comment:

We believe that "body" is a more suitable expression (compare 8.2.2.6.7).

- 8.2.2.2 Amend the two last sentences to read as follows:

"The training programme shall conform to the subjects set out in 8.2.2.3.2 to 8.2.2.3.5. The training shall also include individual practical exercises (see 8.2.2.3.8).".

Comment:

The deletion of "with the approval, on" is an editorial amendment as the existing text does not make sense. The text is clearer with these words removed.

In our understanding, the word "training" covers both the initial and the refresher training (compare wording in current sub-section 8.2.2.6.1). The text could therefore be simplified.

- 8.2.2.3.1 Simplify the text and insert a second sentence with the text from current 8.2.1.6 to read as follows:

"8.2.2.3.1 Training shall be given in the form of a basic training course and, when applicable, specialization training courses. Basic training courses and specialization training courses may be given in the form of comprehensive training courses, conducted integrally, on the same occasion and by the same training organization.".

Insert all text that deals with the structure of training in three new paragraphs 8.2.2.3.6 to 8.2.2.3.8:

- "8.2.2.3.6 Teaching units are intended to last 45 minutes.

8.2.2.3.7 Normally, not more than eight teaching units are permitted on each training day.

8.2.2.3.8 The individual practical exercises shall take place in connection with the theoretical training, and shall at least cover first aid, fire-fighting and what to do in case of an incident or accident.".

Comment:

In the current text, these provisions are repeated in 8.2.2.4.3 to 8.2.2.4.5 — provisions for the initial training programme — and in 8.2.2.5.4. However, in the current text for the refresher training programme, some of these provisions have been left out (e.g. the fact that teaching units are intended to last 45 minutes and the scope of the practical exercises). Since we believe that these provisions should apply for all courses, the text could be rationalized by only stating them once.

- 8.2.2.4.1 In footnote 1 replace "8.2.2.4.5" with "8.2.2.3.8" and delete "below".

Consequential amendment: Delete paragraphs 8.2.2.4.3 to 8.2.2.4.5 and 8.2.2.5.4.

8.2.2.6 Amend the heading to read:

"8.2.2.6 Approval of training and examinations".

8.2.2.6.1 Amend to read as follows:

"8.2.2.6.1 The training courses and examinations shall be subject to approval by the competent authority."

Comment:

Like the training courses, the examinations shall also be approved by the competent authority.

8.2.2.7.1 Amend to read as follows:

"8.2.2.7.1 *Examinations for the basic training course*".

Comment:

We believe that the examinations for an initial and a refresher training course should be held on the same conditions. We therefore propose to simplify the text by only stating the provisions once. By deleting the word "initial" the text applies for the initial as well as for the refresher training courses.

8.2.2.7.1.6 Amend to read as follows:

"8.2.2.7.1.6 The examination shall take the form of a written examination or a combination of a written and oral examination. Each candidate shall be asked at least 25 written questions for the basic training course. If the examination follows a refresher training course, at least 15 written questions shall be asked. The duration of these examinations shall be at least 45 and 30 minutes respectively. The questions may be of a varying degree of difficulty and be allocated a different weighting.

Comment:

This part contains new provisions not found in ADR 2009. We believe that the text should be adapted in order to specify the different scopes of an initial and a refresher training course concerning time limits and amount of questions.

8.2.2.7.2 Delete "initial".

Comment:

By deleting the word "initial" the text applies for the initial as well as for the refresher specialization training courses.

8.2.2.7.2.3 Amend to read as follows:

"8.2.2.7.2.3 With respect to each specialization training examination, at least 15 written questions shall be asked. If the examination follows a refresher training course, at least 10 written questions shall be asked. The duration of these examinations shall be at least 30 and 20 minutes respectively.

Comment:

This part contains new provisions not found in ADR 2009. Since we have proposed that this text shall cover both initial and refresher specialization training courses, we believe

that its content must be adapted in order to specify the different scopes of an initial and a refresher training course concerning time limits and amount of questions.

8.2.2.7.3 to 8.2.2.7.3.3 Amend to read as follows:

"8.2.2.7.3 to 8.2.2.7.3.3 *Deleted.*".

Comment:

We believe that the examinations for an initial and a refresher training course should be held on the same conditions. By stating all of these general provisions in sub-section 8.2.2.7.1 (see 8.2.2.7.1 above) there is no need to repeat the same text again under a separate sub-section for the refresher training. Therefore, these sub-sections could be deleted.

8.2.2.7.4 Renumber to read 8.2.2.7.2.4

Comment:

A special sub-section for examination of refresher training is not needed. This text should be included under the general requirement for the examinations for specialization training courses.

8.2.2.8.1 Amend the introductory text to read as follows:

"8.2.2.8.1 The certificate referred to in 8.2.1.1 shall be issued:".

(a) to (c) unchanged.

Comment:

We believe it is more appropriate to refer to 8.2.1.1. Sub-section 8.2.1.8 deals with the recognition of the certificate.

8.2.2.8.2 In the second paragraph, replace "8.2.2.7.3" with "8.2.2.7".

Proposals concerning harmonization of the terminology

8.2.2.3.1 Replace "comprehensive course" with "comprehensive training course".

8.2.2.4.1 Replace "initial course" with "initial training course" and "comprehensive course" with "comprehensive training course".

8.2.2.4.2 Replace "comprehensive course" with "comprehensive training course".

8.2.2.5.3 Replace "specialization courses" and "individual courses" with "specialization training courses" and "individual training courses" respectively.

Comment:

Since the definition of "competent authority" included bodies designated by the competent authority (see ADR, 1.2.1), the Working Party adopted, at its eighty-sixth session, the proposal by the United Kingdom to delete all references to recognized organizations in sections 8.2.1 and 8.2.2. Therefore, 8.2.2.7.1.3 should be amended accordingly:

8.2.2.7.1.3 Delete the phrase "or the examination body approved by that authority".