

**SAFETY ADVISER FOR TRANSPORTATION OF
DANGEROUS GOODS IN ACCORDANCE WITH THE ACT
NO. 338/2000 COLL. ON INLAND NAVIGATION**

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Summary: The „safety adviser“ institute is adopted from the Council’s regulation no. 96/35/ES and from the regulation of the European Parliament no. 2000/18/ES. It defines a natural body or a corporate body obliged to appoint a safety adviser for transportation of dangerous goods and the natural bodies or corporate bodies that are excluded from this obligation.

Key words: safety advisor, regulation, dangerous goods

Anotace: Inštitút „ bezpečnostného poradcu“ sa preberá z smernice Rady 96/35/ES a smernice Európskeho parlamentu a Rady 2000/18/ES. Ustanovuje sa, ktorá fyzická alebo právnická osoba je povinná určiť bezpečnostného poradcu na prepravu nebezpečného tovaru a ktoré fyzické alebo právnické osoby sú vyňaté z tejto povinnosti.

Kľúčové slova: bezpečnostný poradca, smernica, nebezpečný tovar.

1. INTRODUCTION

Act no. 500/2007 Coll. modifies and amends the Act no. 338/2000 Coll. on inland navigation and on modification and amendment of some acts in wording of the amending regulations. The given act fully approximates Council regulation no. 96/35/ES Coll. on appointing and professional qualification of safety advisers for transportation of dangerous goods by the road transport, railway transport, and inland water transport, and the regulation of the European Parliament and the Council no. 2000/18/ES Coll. on the **minimum requirements for exams for safety advisors for**

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transportation of dangerous goods by road, railway, or inland water transport into the judicial code of the Slovak Republic.

2. SAFETY ADVISER FOR TRANSPORTATION OF DANGEROUS GOODS

The „**safety adviser**“ institute is adopted from the Council's regulation no. 96/35/ES and from the regulation of the European Parliament no. 2000/18/ES.

It defines a natural body or a corporate body obliged to appoint a safety adviser for transportation of dangerous goods and the natural bodies or corporate bodies that are excluded from this obligation. The act determines conditions under which it is possible to obtain the safety adviser professional competence certificate issued by the State Navigation Administration. The Ministry shall entrust a natural body or a corporate body with execution of trainings and tests to be carried out after specified conditions are satisfied. To keep the same standard of trainings and tests in all member states, each member state must prepare the catalogue of questions based on the list of tests questions which shall be regularly sent to the European Commission.

Appropriate body or a testing body organize compulsory written test which can be completed with an oral test in order to find out whether candidates possess required level of knowledge necessary to carry out the tasks of safety adviser and to obtain the EC certificate. Compulsory test consists of the written tests adjusted to the type of transport for which the certificate is issued. The candidate shall receive a questionnaire with at least 20 questions with direct answers which relate at least to, under the article 5 paragraph 4 of the regulation 96/35/ES, the issues specified in Annex II of the above mentioned regulation. However, it is possible to use also the questionnaire with more options of correct answers. In that case two questions with the possibility to choose the answer correspond to one question with direct answer.

In relation to these issues and adequately to the respective type of transport, special attention is paid to the following aspects:

- General preventive and safety measures,

- Dangerous goods classification,
- General requirements for packaging, including containers, tanks, and tank railway cars,
- Labels and stickers demarcating the danger,
- References in the transport documentation,
- Manipulation with and placement of the goods,
- Professional training of the crew,
- Documentation relating to the vehicle and transport documentation,
- Safety instructions,
- Requirements concerning transport amenities.

Candidates shall prepare the case study according to the Annex I of the regulation no. 96/35/ES, which shall prove that they are able to carry out the safety adviser's tasks. Member states can determine that the candidates, who want to work for the companies concentrating only on transportation of the specific dangerous goods, shall be, according to the Annex II of the regulation 96/35/ES, tested only for issues relating to such activities.

These types of dangerous goods are:

- class 1 (explosives),
- class 2 (gas),
- class 7 (radioactive material),
- class 3, 4.1, 4.2, 4.3, 5.1, 5.2, 6.1, 6.2, 8, and 9 (solid and liquid materials),
- UN numbers 1202, 1203, 1223 (mineral oils).

Titles of the ES certificate must clearly indicate that the certificate is valid only for dangerous goods types mentioned in this paragraph, in relation to which the adviser was tested following the requirements defined in section a) and b).

The Ministry shall prepare a generally binding legal regulation that shall determine necessary content of the request to undergo the training, request to carry out the test, and details on the content, extent, and course of trainings, on the activities of testing commissions, on the content, extent, and course of the test, as well as a sample of the safety adviser certificate.

The objective act determines also the most important obligations of the safety adviser. The most basic obligations include among others also to monitor adherence to the rules governing transportation of dangerous goods, to provide counselling about transportation of dangerous goods to a person who executes the transportation and to elaborate the annual report on transportation of such goods; this report shall be archived for five years and available to the national authorities upon their request. Besides these obligations, the safety adviser shall elaborate the report on an accident relating to a person, property, or the environment, or damage to the property or to the environment that happened during transportation, loading or unloading of dangerous goods for the person who performs transportation of dangerous goods.

3. CONCLUSION

The safety adviser institute is primarily connected with transportation of dangerous goods, mainly in order to eliminate possible threats and risk, in relation to transportation of given type of the goods by water transport. Therefore it is so important to modify this institute to the national legislation.

POUŽITÁ LITERATURA

[1] www.justice.gov.sk

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