

Article Number	Provision	National Measures	
		National Measure	Provision
Annex II	<p><i>Infringements</i></p> <p>For the purposes of this Directive, the following non-exhaustive list, divided into three risk categories (category I posing the highest risk), provides guidance on what is to be regarded as an infringement. The appropriate risk category shall be determined taking into account the particular circumstances of an infringement and at the discretion of the enforcing body/officer, meaning that the risk category of an infringement may be upgraded or downgraded.</p> <p>Infringements that are not listed shall be classified in accordance with the descriptions of the risk categories.</p> <p>Where there are several infringements per transport unit, only the most serious risk category shall be applied for reporting purposes (in compliance with the model standard form set out in Annex III).</p> <p style="text-align: center;">1. Risk category I</p> <p>This concerns infringements of ADR provisions which carry a high risk of death, serious personal injury or significant damage to the environment. If observed during roadside checks, such infringements shall normally lead to</p>	Second Schedule of Principal Regulations	<p>PART I</p> <p>INFRINGEMENTS</p> <p>For the purposes of these Regulations, the following non-exhaustive list, divided into three risk categories (category I posing the highest risk), provides guidance on what is to be regarded as an infringement. The appropriate risk category shall be determined taking into account the particular circumstances of an infringement and at the discretion of the enforcing body/officer, meaning that the risk category of an infringement may be upgraded or downgraded.</p> <p>Infringements that are not listed shall be classified in accordance with the descriptions of the risk categories.</p> <p>Where there are several infringements per transport unit, only the most serious risk category shall be applied for reporting purposes (in compliance with the model standard form set out in Part II of this Schedule).</p> <p style="text-align: center;">1. Risk category I</p> <p>This concerns infringements of ADR provisions which carry a high risk of death, serious personal injury or significant damage to the environment. If observed during roadside checks, such infringements shall normally lead to immediate and</p>

	<p>immediate and appropriate corrective measures, such as immobilisation of the vehicle; if observed during checks at premises, these infringements would normally be subject to other appropriate measures.</p> <p>Failures in this category include:</p> <ol style="list-style-type: none"> 1. Carriage of dangerous goods, the carriage of which is prohibited; 2. Carriage of dangerous goods in a prohibited or unapproved means of containment, endangering lives or the environment to such an extent that a decision is taken to immobilise the vehicle; 3. Carriage of dangerous goods without identification on the vehicle, endangering lives or the environment to such an extent that a decision is taken to immobilise the vehicle; 4. Leakage of dangerous goods; 5. Carriage by a prohibited mode; 6. Carriage in bulk in a vehicle or container which is not structurally serviceable; 7. Carriage in a vehicle without an appropriate certificate of approval; 8. Operation of a vehicle which no longer complies with approval standards and presents an immediate danger (otherwise it shall be classified in risk category II); 		<p>appropriate corrective measures such as immobilisation of the vehicle; if observed during checks at premises, these infringements would normally be subject to other appropriate measures.</p> <p>Failures in this category include:</p> <ol style="list-style-type: none"> 1. Carriage of dangerous goods the carriage of which is prohibited. 2. Carriage of dangerous goods in a prohibited or unapproved means of containment, endangering lives or the environment to such an extent that a decision is taken to immobilise the vehicle. 3. Carriage of dangerous goods without identification on the vehicle, endangering lives or the environment to such an extent that a decision is taken to immobilise the vehicle. 4. Leakage of dangerous goods. 5. Carriage by a prohibited mode. 6. Carriage in bulk in a vehicle or container which is not structurally serviceable. 7. Carriage in a vehicle without an appropriate certificate of approval. 8. Operation of a vehicle which no longer complies with approval standards and presents an immediate danger (otherwise it shall be classified in risk category II).
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	<p>18. Carriage of dangerous goods without any placarding, marking (including orange-coloured plate marking) or other identification signs on the vehicle;</p> <p>19. Incomplete or incorrect information concerning the substance being carried, enabling determination of a risk category I infringement (for example, UN number, proper shipping name, packing group);</p> <p>20. Valid vocational training certificate not held by driver;</p> <p>21. Use of fire or unprotected light;</p> <p>22. Failure to observe smoking ban;</p> <p>23. Failure to appoint safety adviser for each undertaking, when required;</p> <p>24. Failure to comply with ADR 1.10 on security provisions, when required.</p> <p>2. Risk category II This concerns infringements of ADR provisions which carry a risk of personal injury or damage to the environment. If observed during roadside checks, such infringements shall normally lead to appropriate corrective measures, such as rectification on the spot where feasible, otherwise no later than on completion of the current</p>		<p>marking) or other identification signs on the vehicle.</p> <p>19. Incomplete or incorrect information concerning the substance being carried, enabling determination of a risk category I infringement (for example, UN number, proper shipping name, packing group).</p> <p>20. Valid vocational training certificate not held by driver.</p> <p>21. Use of fire or unprotected light.</p> <p>22. Failure to observe smoking ban.</p> <p>23. Failure to appoint safety adviser for each undertaking, when required.</p> <p>24. Failure to comply with ADR 1.10 on security provisions, when required.</p> <p>2. Risk category II This concerns infringements of ADR provisions which carry a risk of personal injury or damage to the environment. If observed during roadside checks, such infringements shall normally lead to appropriate corrective measures such as rectification on the spot where feasible, otherwise no later than on completion of the current transport operation; if observed during checks at premises, these infringements would normally be subject to other appropriate measures.</p> <p>Failures in this category include:</p>
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	<p>transport operation; if observed during checks at premises, these infringements would normally be subject to other appropriate measures.</p> <p>Failures in this category include:</p> <ol style="list-style-type: none"> 1.Operation of a transport unit comprising more than one trailer/semi-trailer; 2.Operation of a vehicle which no longer complies with approval standards but does not present an immediate danger; 3.Failure to carry operational fire extinguishers as required on board a vehicle; fire-fighting equipment not compliant with specific provisions; 4.Failure to carry equipment required under the ADR or in instructions in writing on board a vehicle; 5.Failure to comply with test and inspection dates and periods of use for packaging, intermediate bulk containers (IBCs), large packaging, tanks, vehicles, or containers; 6.Carriage of packages with damaged packaging, IBCs, or large packaging, or carriage of damaged empty uncleaned packaging; 7.Carriage of packaged goods in a vehicle or container which is not structurally serviceable; 		<ol style="list-style-type: none"> 1.Operation of a transport unit comprising more than one trailer/semi-trailer. 2.Operation of a vehicle which no longer complies with approval standards but does not present an immediate danger. 3.Failure to carry operational fire extinguishers as required on board a vehicle; fire-fighting equipment not compliant with specific provisions. 4.Failure to carry equipment required under the ADR or in instructions in writing on board a vehicle. 5.Failure to comply with test and inspection dates and periods of use for packaging, intermediate bulk containers (IBCs), large packaging, tanks, vehicles or containers. 6.Carriage of packages with damaged packaging, IBCs or large packaging, or carriage of damaged empty uncleaned packaging. 7.Carriage of packaged goods in a vehicle or container which is not structurally serviceable. 8.Failure to properly close tanks / tank containers, vehicles, containers or packages (including ones that are empty and uncleaned). 9.Packages, tanks, vehicles and/or containment have incorrect labelling, marking
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	<p>8.Failure to properly close tanks/tank containers, vehicles, containers, or packages (including ones that are empty and uncleaned);</p> <p>9.Packages, tanks, vehicles, and/or containment have incorrect labelling, marking (including orange-coloured plate marking), placarding or other identification signs;</p> <p>10.No instructions in writing in accordance with the ADR;</p> <p>11.Failure to properly supervise or park a vehicle;</p> <p>12.Carriage of persons, other than crew members, in transport units carrying dangerous goods;</p> <p>13.Failure to comply with regulatory provisions set out in ADR 7.5.10 on precautions to be taken against electrostatic charges during filling and emptying operations;</p> <p>14.Failure to comply with regulatory provisions on arrival at loading and unloading sites;</p> <p>15.Failure to comply with regulatory provisions on the safety adviser’s role, duties, and certificates for each undertaking, when required;</p> <p>16.Failure to comply with regulatory provisions on the minimum retention period for the dangerous goods</p>		<p>(including orange-coloured plate marking), placarding or other identification signs.</p> <p>10.No instructions in writing in accordance with the ADR.</p> <p>11.Failure to properly supervise or park a vehicle.</p> <p>12.Carriage of persons, other than crew members, in transport units carrying dangerous goods.</p> <p>13.Failure to comply with regulatory provisions set out in ADR 7.5.10 on precautions to be taken against electrostatic charges during filling and emptying operations.</p> <p>14.Failure to comply with regulatory provisions on arrival at loading and unloading sites.</p> <p>15.Failure to comply with regulatory provisions on the safety adviser’s role, duties and certificates for each undertaking, when required.</p> <p>16.Failure to comply with regulatory provisions on the minimum retention period for the dangerous goods transport document and additional information and documentation as specified in the ADR.</p> <p>17.Failure to comply with regulatory provisions on the training of persons involved in the carriage of dangerous goods.</p> <p>18.Failure to submit required documents and/or reports to the competent authorities.</p>
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	<p>transport document and additional information and documentation as specified in the ADR;</p> <p>17.Failure to comply with regulatory provisions on the training of persons involved in the carriage of dangerous goods;</p> <p>18.Failure to submit required documents and/or reports to the competent authorities.</p> <p>3. Risk category III This concerns infringements of ADR provisions which carry a low risk of personal injury or damage to the environment, and where appropriate corrective measures do not need to be taken at the roadside but can be taken at a later date by the undertaking; if observed during checks at premises, these infringements shall normally be subject to other appropriate measures. Failures in this category include:</p> <p>1.Failure to comply with regulations on the size of placards or labels or the size of letters, figures or symbols on placards or labels;</p> <p>2.Information, with the exception of information falling under risk category I, not available in transport documentation;</p> <p>3.Failure to carry training certificate on board vehicle,</p>		<p>3. Risk category III This concerns infringements of ADR provisions which carry a low risk of personal injury or damage to the environment and where appropriate corrective measures do not need to be taken at the roadside but can be taken at a later date by the undertaking; if observed during checks at premises, these infringements shall normally be subject to other appropriate measures. Failures in this category include:</p> <p>1.Failure to comply with regulations on the size of placards or labels or the size of letters, figures or symbols on placards or labels.</p> <p>2.Information, with the exception of information falling under risk category I, not available in transport documentation.</p> <p>3.Failure to carry training certificate on board vehicle but evidence that one is held by the driver.</p> <p>4.A means of identification, with photograph, not carried by each member of the vehicle crew.</p> <p>5.Failure to properly affix placarding and marking (including orange-coloured plate marking) or other identification signs.</p> <p>6.Late submission of required documents and/or reports to the competent authorities.</p>
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	<p>but evidence that one is held by the driver;</p> <p>4.A means of identification, with photograph, not carried by each member of the vehicle crew;</p> <p>5.Failure to properly affix placarding and marking (including orange-coloured plate marking) or other identification signs;</p> <p>6.Late submission of required documents and/or reports to the competent authorities.</p>		
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