



Brussels, **XXX**  
[...] (2025) **XXX** draft

ANNEXES 1 to 2

**ANNEXES**

*to the*

**COMMISSION DELEGATED DIRECTIVE (EU) .../...**

**adapting to scientific and technical progress Annexes I and II to Directive (EU) 2022/1999 of the European Parliament and of the Council on uniform procedures for checks on the transport of dangerous goods by road**

**(Text with EEA relevance)**

# Annex

## ‘ANNEX I

### Checklist for roadside checks

1. Place and country of check:		2. Date:		3. Time:	
<b>Data vehicle/load</b>					
4. Vehicle nationality mark(s) and registration number(s):					
5. Undertaking carrying out transport operation / address:					
6. Name(s) of driver(s) / driver's assistant / their certificate number (ADR 8.2 if applicable):					
7. Last address and date of loading or unloading: (1)					
8. Next address of loading or unloading: (1)					
9. UN number(s), packing group and quantity of dangerous goods carried if infringements observed: (2)					
10. Exemption applicable and, if yes, which? (3)	<input type="checkbox"/> no	<input type="checkbox"/> yes	Section:		
11. Means of containment	<input type="checkbox"/> bulk	<input type="checkbox"/> tank	<input type="checkbox"/> package	<input type="checkbox"/> MEMU	
<b>Documents</b>	Check status (4)		Infringement	ADR section + participant(s) (6)	
	C	NC	NA	Risk Category (5)	
12. Transport documents (such as ADR 8.1.2.1 (a) and 5.4.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
13. Instructions in writing (ADR 8.1.2.1 (b) and 5.4.3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
14. Certificate of approval for vehicles (ADR 8.1.2.2 (a) and 9.1.3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
15. Driver's training certificate (ADR 8.1.2.2 (b)) and identification document (ADR 8.1.2.1 (d))	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<b>Transport operation</b>					
16. Goods authorised for carriage (ADR 1.1.2.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
17. Means of containment provisions (such as ADR 4.1 to 4.7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
18. Provisions for transport (such as ADR 7.1 to 7.4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
19. Mixed loading prohibition and limitation of quantities (such as ADR 7.5.2, 7.5.4, 7.5.5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
20. Handling and stowage (such as ADR 7.5.7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
21. Package / tank / bulk marking (such as ADR Part 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
22. Marking, labelling of packages (such as ADR 3.3 to 3.5, 4.1.4.1, 5.1, 5.2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
23. Placards, orange-coloured plates, marks on vehicles/tanks, etc. (such as ADR 5.3, 5.5, 7.3, 7.5.11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
24. Vehicle requirements (ADR Part 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<b>Equipment on board</b>					
25. General and specific equipment (such as ADR 8.1.4, 8.1.5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<b>Other</b>					
26. Bilateral/multilateral agreements (such as ADR 1.5.1), national regulations, competent authority approval (such as 8.1.2.2 (c)):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
27. Other infringements:					
<b>Result</b>					
28. Corrective actions on the spot	<input type="checkbox"/> before end of journey	<input type="checkbox"/> at premises	Type of measure: <input type="checkbox"/> Official report <input type="checkbox"/> Warning <input type="checkbox"/> Immobilisation (Art. 5)		
29. Remarks (7):					
30. Seal broken / placed?	Broken on		Placed on		
31. Authority/officer/delegate carrying out check					

- (1) Fill in only if relevant to infringement.  
 (2) Further to be entered under "remarks".  
 (3) Refers to any exemptions or derogations in accordance with Directive 2008/68/EC.  
 (4) Check status: C= checked, NC= not possible to check, NA= not applicable.  
 (5) Risk category of recorded infringement, in accordance with Annex II.

(6) Section, if specification is necessary and category of participant(s), in accordance with ADR 1.4: Ci=consignor, C=carrier, Ce=consignee, L=loader, P=packer, F=filler, To=tank operator, U=unloader. Mentioning the category of participant in the checklist does not affect in any way the presumption of innocence.

(7) Enter here UN number(s), packing group (PG), quantity of dangerous goods carried if infringements observed, infringements by driver crews, remedial action and other remarks.

DRAFT

## ANNEX II

### Infringements

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.

Infringements that are not listed shall be classified in accordance with the descriptions of the risk categories.

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).

#### 1. Risk category I

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 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.

Failures in this category include:

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);
9. use of unapproved packages, tanks, containers or vehicles;
10. use of packaging which does not comply with the applicable packing instructions; use of tanks, vehicles and containers which do not comply with the applicable provisions;
11. failure to comply with special provisions for mixed packing;
12. failure to comply with rules governing the securing and stowage of loads;

13. failure to comply with rules on foodstuffs, other articles of consumption and animal feeds;
14. failure to comply with rules governing mixed loading of packages;
15. failure to comply with provisions limiting quantities authorised for carriage in one transport unit, including permissible degrees of filling tanks or packages;
16. carriage of dangerous goods without the necessary documents available on board or in an appropriate electronic format, if allowed.
17. carriage of dangerous goods in packages not bearing the necessary marking, labelling or other identification signs;
18. carriage of dangerous goods without any placarding, marking (including orange-coloured plate marking) or other identification signs on the vehicle;
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);
20. valid vocational training certificate not held by driver;
21. use of fire or unprotected light;
22. failure to observe smoking ban;
23. failure to appoint safety adviser for each undertaking, when required.
24. failure to comply with ADR 1.10 on security provisions, when required.

## **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.

Failures in this category include:

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 (including orange-coloured plate marking), placarding or other identification signs;
10. no instructions in writing in accordance with the ADR;
11. failure to properly supervise or park a vehicle;
12. carriage of persons, other than crew members, in transport units carrying dangerous goods;
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;
14. failure to comply with regulatory provisions on arrival at loading and unloading sites;
15. failure to comply with regulatory provisions on the safety adviser's role, duties and certificates for each undertaking, when required;
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;
17. failure to comply with regulatory provisions on the training of persons involved in the carriage of dangerous goods;
18. failure to submit required documents and/or reports to the competent authorities.

### **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:

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;
2. information, with the exception of information falling under risk category I, not available in transport documentation;
3. failure to carry training certificate on board vehicle but evidence that one is held by the driver;
4. a means of identification, with photograph, not carried by each member of the vehicle crew;
5. failure to properly affix placarding and marking (including orange-coloured plate marking) or other identification signs;
6. late submission of required documents and/or reports to the competent authorities.'