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16 December 2010 [shall come into force from 1 January 2011];

17 May 2018 [shall come into force from 25 May 2018].

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*¹ has adopted
and the President has proclaimed the following law:

Law on the Movement of Dangerous Goods

Section 1. Terms Used in this Law

The following terms are used in this Law:

1) **security** – preventive means and measures to be performed in order to reduce to the minimum the theft or abuse of such dangerous goods, which may endanger human beings, property or the environment;

2) **dangerous goods** – goods, which due to the properties thereof may cause an explosion, fire, human or animal death, falling ill, poisoning, irradiation or burns, damages to the property or may cause harm to the environment during carriage or temporary storage process related thereto and which concurrently is deemed dangerous in accordance with the international agreements referred to in Section 3 of this Law;

3) **high consequence dangerous goods** – goods, which may be used in an act of terrorism, resulting in human victims, mass damages or other serious consequences and which concurrently are deemed high consequence dangerous goods in accordance with the international agreements referred to in Section 3 of this Law;

4) **movement of dangerous goods** – an aggregate of organisational and technological operations (for example, classification, packaging, filling-up of tanks, tank containers or gas receptacles, marking, drawing up of carriage documents, loading, forwarding, carriage, unloading, issuance to the recipient) to be performed in carrying dangerous goods by road, rail, sea, air or also using several of the referred to types of transport. Movement of dangerous goods shall also include temporary storage of such goods in intermediate stage of carriage, which is necessary in order to change the type of transport or vehicle (loading), as well as any safety and security measures necessary for provision of carriage;

5) **person participating in movement of dangerous goods** – a natural person, a legal person or an association of persons involved in the movement of dangerous goods. Persons participating in movement of dangerous goods shall be the consignor, consignee, loader, unloader, packer, filler, carrier, as well as the operator of a tank container, portable tank or tank;

6) **means of carriage to be used in the movement of dangerous goods** – packaging, receptacles, tanks, tank containers, bulk containers (containers for bulk carriage);

7) **vehicle** – within the meaning of this Law a road transport vehicle, a railway wagon, a ship and an aircraft to be used in the movement of dangerous goods.

¹ The Parliament of the Republic of Latvia

Section 2. Purpose of This Law

The purpose of this Law is to ensure a co-ordinated and safe movement of dangerous goods in order to prevent or reduce the threat or harm it might cause to human or animal life or health, property or the environment.

Section 3. Scope of Application of this Law

(1) This Law determines the issues of the State competence in relation to the movement of all types of dangerous goods and any person participating in movement of dangerous goods involved therein, as well as the mechanism for control and supervision of the movement of dangerous goods.

(2) Issues related to the movement of dangerous goods shall be regulated by the international agreements referred to in Paragraphs three, four, five and six of this Section, as well as by other laws and regulations regulating the relevant field of carriage.

(3) Issues related to the movement of dangerous goods and supervision thereof in the field of carriage by road shall be regulated by the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) and the protocol on amendments to this Agreement.

(4) Issues related to the movement of dangerous goods and supervision thereof in the field of carriage by rail shall be regulated by Annex of Appendix C “Regulation concerning the International Carriage of Dangerous Goods by Rail (RID)” to the Protocol of Modification of 3 June 1999 of the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980, but in traffic to states that are not European Union Member States – by Annex 2 to “Provisions for Transport of Dangerous Goods” to the Agreement on International Goods Transport by Rail (SMGS) of 1 November 1951.

(5) Issues related to the movement of dangerous goods and supervision thereof in the field of carriage by sea are regulated by the International Convention for the Safety of Life at Sea, 1974 (SOLAS-74 Convention) and Protocols of 1978 and 1988 thereof, the codes laid down as binding in the abovementioned Convention and its Protocols: the International Maritime Dangerous Goods code (IMDG code), the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC code), the International Code for the Construction and Equipment of Ships carrying Liquefied Gases in Bulk (IGC code) and the International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on Board Ships (INF code).

(6) Issues related to the movement of dangerous goods and supervision thereof in the field of carriage by air shall be regulated by the Convention on International Civil Aviation, as well as by the Technical Instructions for the Safe Transport of Dangerous Goods by Air of the International Civil Aviation Organization (ICAO-TI), which is specified by the referred to Convention as binding.

(7) This Law shall not apply to the procedures by which the armed forces organise carriage of dangerous goods for the needs of State protection by vehicles belonging to the armed forces or transferred in their supervision.

(8) Within the the meaning of this Law, goods which are carried only in the territory of Latvia and which contain or may contain the material of infectious substances of animal origin with infectious disease the supervision and control of which is carried out in accordance with the laws and regulations regarding the supervision, control and combat of animal infectious diseases shall not be regarded as dangerous.

[17 May 2018]

Section 4. General Requirements for the Movement of Dangerous Goods

Persons participating in movement of dangerous goods, in fulfilling their obligations, shall comply with the requirements applicable in the movement of dangerous goods, specified in the international agreements indicated in Section 3 of this Law, as well as in the laws and regulations regarding carriage by road, carriage by rail, carriage by sea and by air.

Section 5. Competence of the Ministry of Transport in the Movement of Dangerous Goods

(1) The Ministry of Transport shall co-ordinate the activities of State and local government institutions and merchants involved in the provision, supervision and control of the movement of dangerous goods in the field of the movement of dangerous goods and as co-ordination authority shall co-operate with international organisations and institutions of other states.

(2) The Ministry of Transport is the competent authority referred to in the international agreements indicated in Section 3 of this Law, unless it has been otherwise specified in this Law.

Section 6. Competence of the Ministry of Environmental Protection and Regional Development in the Movement of Dangerous Goods

(1) The Ministry of Environmental Protection and Regional Development, in accordance with the laws and regulations regulating the field of waste management, shall monitor the movement of such dangerous waste to be classified as dangerous goods.

(2) The Ministry of Environmental Protection and Regional Development is the competent authority referred to in the international agreements indicated in Section 3 of this Law in issues related to the movement of radioactive goods.

[16 December 2010]

Section 7. Competence of the Ministry of Economics in the Movement of Dangerous Goods

The Ministry of Economics is the competent authority referred to in the international agreements indicated in Section 3 of this Law in relation to the co-ordination of the system for conformity assessment of means of carriage to be used in the movement of dangerous goods and the provision of the procedures for technical supervision of dangerous equipment.

Section 8. Competence of the Ministry of the Interior in the Movement of Dangerous Goods

The Ministry of the Interior shall control the planning and implementation of the security measures of the movement of high consequence dangerous goods referred to in the international agreements indicated in Section 3 of this Law.

Section 9. Competence of the Ministry of Agriculture in the Movement of Dangerous Goods

The Ministry of Agriculture is the competent authority referred to in the international agreements indicated in Section 3 of this Law which supervises the movement of those goods containing the material of infectious substances of animal origin which are classified as dangerous.

[17 May 2018]

Section 10. Advisory Council for the Movement of Dangerous Goods

(1) In order to ensure co-ordination of the movement of dangerous goods, the Ministry of Transport shall establish the Advisory Council for the Movement of Dangerous Goods (hereinafter – the Council). The Council shall consist of the representatives of the Ministry of Defence, the Ministry of Economics, the Ministry of Finance, the Ministry of the Interior, the Ministry of Transport, the Ministry of Environmental Protection and Regional Development and the Ministry of Agriculture, as well as the representatives of such sectoral non-governmental organisations, in which movement of dangerous goods takes place.

(2) The Council shall:

1) prepare proposals for the State policy priorities in the movement of dangerous goods;

2) promote co-ordination of the State policy for the provision of harmlessness of dangerous goods and the development policy of the production of dangerous goods;

3) evaluate proposals and recommendations in relation to the laws and regulations regulating the field of the movement of dangerous goods;

4) prepare proposals for improvement of measures for the elimination of the consequences of accidents involving dangerous goods;

5) compile and analyse the results of the measures for control and supervision of dangerous goods and draw up relevant proposals.

[16 December 2010]

Section 11. Control of the Movement of Dangerous Goods

(1) Control of the movement of dangerous goods shall be ensured by the State authorities specified in the laws and regulations regarding the carriage by road, carriage by rail and carriage by sea and aviation (hereinafter – the authorities).

(2) The authorities which control the movement of dangerous goods, in addition to the rights specified in the relevant laws and regulations shall have the following rights:

1) to perform inspections in order to control the compliance with this Law;

2) if suspicions of a violation of the requirements for the movement of dangerous goods have arisen – to organise a free of charge sampling of the goods for their examination;

3) to request and receive, free of charge, information from persons participating in movement of dangerous goods regarding the movement of such goods;

4) within the scope of control of the movement of dangerous goods, if independent competent authorities or experts need to be invited;

5) if violations in the movement of dangerous goods endanger the safety of carriage, causing danger to human or animal life or health, property or the environment – to require the person participating in movement of dangerous goods to suspend activities involving such goods until complete elimination of the deficiencies.

(3) The Cabinet shall determine the procedures by which the rights referred to in Paragraph two of this Section shall be implemented, the procedures by which the movement of dangerous goods shall be suspended, vehicles and freight containers shall be opened, samples shall be taken, analysis shall be performed, non-conformity shall be eliminated, means of carriage, freight containers and vehicles shall be moved and stored, as well as expenditure related thereto shall be covered.

(4) The Cabinet shall determine the procedures for the planning, implementation and control of security measures for the movement of high consequence dangerous goods.

[Paragraph two shall be applied from 1 July 2011. See Paragraph 1 of the Transitional Provisions]

Section 12. Obligation to Cover Expenditure for Violations in the Movement of Dangerous Goods

A person participating in movement of dangerous goods, which in accordance with a decision that has come into effect has violated the requirements of this Law or other laws and regulations regulating the movement of dangerous goods, shall cover all expenditures for sampling, performance of analysis, movement and storage of means of carriage, freight containers and vehicles, as well as expenditure for elimination of the established violations, which have arisen during control.

Transitional Provisions

1. Section 11, Paragraph two of this Law shall be applicable from 1 July 2011.
2. The Cabinet shall issue the regulations referred to in Section 11, Paragraphs three and four of this Law by 30 June 2011.

This Law shall come into force on 1 January 2011.

The Law has been adopted by the *Saeima* on 14 October 2010.

President

V. Zatlers

Riga, 3 November 2010