

**Republic of Moldova**

**GOVERNMENT**

**DECISION No. 45**

**of 24.01.1994**

**on the regulation of the transport of dangerous loads**

**on the territory of the Republic of Moldova and liquidation of consequences**

**possible damages**

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ALTERED

- GD895 from 03.08.04, MO138-146/13.08.04 art.1069
- GD672 from 28.05.02, MO87/26.06.02 art.860
- GD1269 of 20.12.00, MO163/29.12.00

The Government of the Republic of Moldova decides:

1. The following are approved:

Regulation on transport of dangerous cargoes on the territory of the Republic of Moldova and liquidation of the consequences of possible damages (Annex no.1);

The list of dangerous loads, the transportation of which is prohibited on the territory of the Republic of Moldova, with all types of means of transport, without the special permission of the Government (Annex no.2).

2. The Department for Civil Protection and Extraordinary Situations of the Ministry of Defense is confirmed as a state body of the Republic of Moldova responsible for promoting a unitary policy in the field of transport of dangerous loads. The Department for Civil Protection and Extraordinary Situation of the Ministry of Defence is granted the right to issue permits for the transport of dangerous loads, which are not included in the list of dangerous loads, the transportation of which is allowed on the territory of the Republic of Moldova with all types of means of transport.

[Paragraph 3 repealed by HG672 of 28.05.02, MO87/26.06.02 art.860]

4. Ministries, state departments, local self-administration bodies in collaboration with Department for Civil Protection and Extraordinary Situations of the Ministry of Defence within one month to draw up the list of undertakings forming dangerous loads and the list of undertakings of transport authorized to carry these cargoes to or through the territory of the Republic of Moldova.

The list of the abovementioned undertakings shall be re-examined and re-approved annually within a time limit set by the Department for Civil Protection and Extraordinary Situations of the Ministry of Defense.

5. The Department for Civil Protection and Extraordinary Situations of the Ministry of Defense in collaboration with the Ministry of Internal Affairs, ministry of health, ministry of transport, bodies local self-administration and territorial bodies of civil defence to work out and approve, by 1 April 1994, calculation of the forces and means necessary to liquidate the consequences of possible damages prevention of damage situations when transporting dangerous loads.

PRI-DEPUTY PRIME MINISTER OF THE REPUBLIC OF MOLDOVA NICOLAE ANDRINATI

Chisinau, January 24, 1994

No. 45

**Annex no.1**  
**to the Government Decision**  
**Republic of Moldova**  
**no.45 of 24 January 1994**

**REGULATION on the transport of dangerous loads on the territory of the Republic of Moldova and the liquidation of the consequences possible damages**

This Regulation on the carriage of dangerous cargoes on the territory of the Republic of Moldova and liquidation of consequences of eventual damages (hereinafter - Regulation) establishes the manner transporting dangerous loads by all types of means of transport, regardless of their departmental membership and forms of ownership, on the entire territory of the Republic of Moldova, determines the main requirements of the methods of organization, technical assurance and of the loading-unloading and transporting, as well as the order of liquidation of the consequences of any damage and situations of damage in transport, aims at protecting the life and health of people, protecting people's life and health, protecting objectives of the national economy and environment, ensuring the integrity of material values.

The provisions of this Regulation are mandatory for the enforcement by all persons legal and physical, citizens of the Republic of Moldova and foreign persons on the territory of the republic.

**I. Notions used**

1. The following notions are used in this Regulation:

dangerous loads - substances, materials, articles and waste materials which, by virtue of their physical state, chemical, biological properties, and radioactive or other specific properties may create in the process of transportation a danger to life and human health, may cause environmental pollution, destruction of living nature, deterioration, or destruction of means of transport and other material goods;

rules for the transport of dangerous loads - the technical-normative acts that regulates the complex of measures to ensure safety when transporting dangerous loads using the appropriate means of transport;

transporters - consignors and consignees, undertakings and organizations carrying out loading, transit and temporary storage, transportation, unloading, guarding and accompanying loads;

the process of transporting dangerous loads includes all operations: preparation cargoes and means of transport, receipt of cargo for transport, loading in the means of transport, the transport of loads from the point of loading to the point of destination, the carriage of loads from one means of transport to another for mixed transport, transitory storage and temporary storage, unloading, transmission of the consignee's cargo;

damage caused in the type of transport of dangerous loads - the situation created by the result of the negative influence of the transported loads on man, material goods and the environment;

emergency situation - the situation that creates a danger of triggering the damage during transport dangerous loads.

## **II. General provisions**

2. Natural and legal persons with any form of property in the republic and abroad, which carries out the transport of dangerous loads or participates in such transports, is driven by this Regulation, as well as by the requirements of the Rules for the carriage of cargoes with railway, river and air transport on the territory of the Republic of Moldova.

3. Consignors and recipients, legal and natural persons, regardless of forms of ownership, who performs the unloading and reception of dangerous loads, appoints the responsible executors to ensure the **security of transports** and to liquidate the emergency situations that may occur with these loads.

4. Specialized and universal means of transport belonging to legal entities and natural persons of the republic and abroad, regardless of the forms of property, involved in the transportation of loads dangerous, are admitted to traffic by the respective bodies of the Traffic Police.

5. Ministries and relevant state departments, in collaboration with the self-administration bodies approves annually the list of enterprises, institutions and organizations that use substances, and products included in the nomenclature of dangerous loads, regardless of their forms of ownership, together with the Department for Civil Protection and Extraordinary Situations of the Ministry of Defence determines the forces and means necessary for the liquidation of the consequences of possible damages and situations of Crash.

6. The Department for Civil Protection and Extraordinary Situations of the Ministry of Defense together with ministries and departments concerned plan the quantities of forces and means (defence formations civilian, specialized formations of ministries, military units) necessary for carrying out the works of liquidation of the failure situations and of the consequences of possible damages.

7. Organizations and enterprises, which have rescue services and respective specialists, are obliged to participate in the liquidation of the emergency situations and the consequences of the cargo damages dangerous, in accordance with the provisions of the republican bodies or of the local self-administration.

8. Enterprises which use in the technological process materials posing a high danger, and carries out their transportation, both on the territory of the republic and abroad, executes the control permanently on the entry, movement and unloading of dangerous loads, and in case of occurrence of failures or failures, take urgent measures to clear their consequences.

9. Legal entities and individuals, regardless of the forms of property, shall be obliged to warn, at least 12 hours in advance, the bodies of the local self-administration, on whose territory it will be carried out transportation by means of transport by car of dangerous loads, communicating the itinerary, time the carrying and the nature of the cargo.

When transporting dangerous loads in quantities posing a danger in case of damage exclusively, the recipient enterprises are obliged to remit to the local self-administration bodies documentation confirming the compliance of the packaging with the standards or technical prescriptions, and the local self-administration bodies to specify the itinerary and to allocate an accompanying service of the Traffic Police.

10. Local self-administration bodies, on whose territory enterprises using the use of enterprises are deployed in the technological process materials that participate in increased danger and are transported dangerous loads, are obliged to have specialized civil defence formations in order to liquidate the consequences to possible damages, to maintain permanent connection and close cooperation with the civil defense units and the military units of the Ministry of Defense, deployed on their territory, throughout the transport these loads.

In the composition of these special formations can be included scriptic subunits (fire units professionals and militarized ones, sanitary-epidemiological stations, emergency medical assistance brigades professionals and militarized ones, sanitary-epidemiological stations, emergency medical assistance brigades etc.) and unscriptic (non-militarized formations of medical services, transport, protection against fires, engineering, technical-communal, maintaining public order and other territorial services of civil protection).

In case of occurrence of the emergency situation, the consequences of which create a danger for the population, animals and the environment, the bodies of local self-administration immediately notify the population, the objectives of the economy national and shall take the necessary measures for their evacuation and protection.

### **III. Requirements for transporters of dangerous loads**

11. When carrying out the entire volume of works for the transport and accompanying of dangerous loads there are admitted persons who have passed the medical examination, have special training and documents confirming the right to carry out these works. Contractors of the works must be provided with means of protection Necessary.

12. Managers of transport undertakings, legal and natural persons performing the transportation of dangerous cargoes are obliged to admit to transportation only means of specially equipped transport, and to dispose in the cases provided for by the legislation in force of licences the corresponding issued by the Licensing Chamber.

(Paragraph 12 amended by HG895 of 03.08.04, MO138-146/13.08.04 art.1069)

13. The loading, unloading and transport of dangerous loads shall be carried out only in the case in which the contractors have the necessary forces and means of protection (fire extinguishing means, of neutralization, respective medical assistance, etc.).

14. Types of means of transport and packaging, marking and preparation of loads dangerous for transport, storage and transport conditions, packaging safety rules, storage and transportation must correspond to the technical-normative documentation (standards, the technical conditions) concerning dangerous loads, as well as the rules in force for the transport of dangerous loads by the appropriate means of transport.

15. The carriers are obliged to strictly comply with the provisions of the technical documentation on the transportation of dangerous cargoes.

16. System of classification and marking of dangerous loads and application of markings of danger by the means of transport, is determined according to state standards, elaborated on the basis of recommendations of the Economic and Social Council of the United Nations (C.E. and S. of the U.N.O.) for the transport of dangerous loads.

17. In accordance with the above-mentioned Recommendations, the competent State body shall also make up the approve a list of dangerous loads and the data on their perishable nature shall be indicated in the the accompanying documents, including the use of packing and the loading-unloading schedule.

The shipper of the charger is responsible for the enteticity of the registration and classification of the loads Dangerous.

18. Construction and parameters of special containers for the transport of dangerous loads must comply with the provisions of the standards or technical conditions and ensure the integrity of the cargo and transport security.

The exepeditor is responsible for the compatibility of the contaminants with the provisions of the standards and technical conditions.

19. Packing for dangerous loads shall be marked and provided with the respective insignia hazard (according to the international standards in force) by the manufacturing plants, as well as by to the shippers of the cargoes in question.

20. The emptied packaging of dangerous loads is transported under ordinary conditions, wearing only in documents accompanying the cargo insignia: "PURIFIED, HARMLESS PACKAGING", executed by to the person in charge of the recipient after the packaging has been cleaned and disinfected. If the said indication is missing, the emptied package shall be transported under the same conditions in which the dangerous cargo was carried.

21. The consignor presents for carriage the dangerous cargo in accordance with the provisions of the present Regulation, the branch normative acts, issued on its basis, the technical normative acts for the concrete time of dangerous load.

22. To the documents accompanying dangerous loads, the consignor is obliged to attach the certificate confirming the compliance with the provisions of the technical-normative documentation for these types of loads.

23. List of dangerous loads to be guarded or accompanied, method of realization and their security, as well as the decision on the possibility of transporting dangerous cargoes, which are not included in the list of those admitted for transportation, is approved by the Government of the Republic of Moldova.

24. In order to coordinate the works, to promote the unitary technical policy in the field of transport dangerous loads, taking into account the recommendations (C.E. and S. of the U.N.O.) for transport of dangerous loads, documents of the International Atomic Energy Agency to ensure radioactive and nuclear safety, as well as other normative acts and rules international, the Government of the Republic of Moldova appoints by decision the state body, competent in problems of transporting dangerous loads.

25. The shipper of cargoes, jointly with the consignee, compulsorily coordinates with the authorities of the Traffic Police of the Republic of Moldova the itinerary of transporting dangerous loads with means of transport by car. For the carriage of cargoes on the permanently coordinated itinerary, the time limit of the much a year. The coordinated itinerary for one-time transportation is valid only during the transport of the cargo from the consignor to the consignee within the prescribed time limit.

26. When transporting dangerous import loads by railways, in international traffic directly or in transit, the security measures provided for in this Regulation shall be applied, taking into account the rules for transporting the clothes with the ferrcial transport.

#### **IV. How to liquidate the consequences of damages when transporting dangerous loads**

27. The liquidation of the consequences of the damages for the transport of dangerous loads is carried out based on the concrete situation created, taking into account the properties of these loads and the appearance of danger to humans and the environment. The liquidation works must be carried out accurately and quickly in strict compliance with the safety recommendations and measures, indicated in the damage sheets that accompany the transported cargoes. When accompanying the dangerous cargo by attendants or specialists, representatives of the consignor, the necessary measures to liquidate the situation of damage caused by dangerous loads shall be carried out in accordance with their respective indications.

28. When the damage occurs, specialists, representatives of the consignor (recipient), and cargo attendants are obliged to assess the situation and to take the necessary measures regarding the notification of the service persons from the nearby railway station, in case of damage in the transport car - to notify the local traffic police bodies, and in case of damage in the river transport - the captain the ship. In case of damage, the attendants of the dangerous loads, together with the drivers of the locomotive, the crew the ship, the drivers of the trucks, until the arrival of the intervention forces, are obliged to apply the measures urgent for the liquidation of the consequences of the damage, according to the damage sheet for the transported cargo, to mark the place of damage and to block the access of foreign persons (transport) to the place where it was damaged product.

29. With the information on the road accident and the appearance of the damage situation to transporting dangerous loads the bodies of the Ministry of Internal Affairs immediately involve the help emergency medical, firefighting formations, workers of the protection of the ilia, sanitary-epidemiological station, send to the place where the damage occurred a police detachment (task force), informs the authorities local self-administration.

30. Decision on how to liquidate the consequences of the damage to the transport of cargoes dangerous on the railway is taken by the head of the Railway Directorate, in river transport - the captain of the ship, and in case of damage of large proportions - the state administration bodies. If necessary, a train is sent to the area where the damage occurred for restoration works or an anti-fire train, the movement of other trains on the damaged sector is prohibited. Decision on how to liquidate the consequences of the damage to the transport of cargoes dangerous in means of transport car (on the highway) a take a leader of the organ local self-administration.

31. Depending on the character of the damage and the degree of danger to the population and the environment, special means and forces of enterprises are involved in the settlement of consequences of the damage dispatchers or recipients, district, city and republican civil protection forces and means, special military units and subunits.

32. Measures to wind up emergency situations during the transport of dangerous loads they must be drawn up in good time and stipulated in the civil protection plans of the ministries, the appropriate departments, institutions and undertakings, as well as of the bodies local self-administration.

33. The specialists of the sanitary-epidemiological system, arriving at the place where the damage occurred, organizes immediately control on the fulfilment of the provisions and recommendations relating to the non-jeopardized performance of works, and in case of non-escaping, organize works with a view to decontaminating the territory, means of transport. During the works of liquidation of the consequences of the damage, in the area where the accident occurred, there is organizes a service of the medical staff on a continuous basis.

34. Evacuation or unloading of dangerous loads from damaged packaging on the ground or in Water basins is categorically prohibited. Liquid loads from damaged tanks and packaging shall be pumped into a capacity of reserve or neutralize on the spot, depending on the specifics of the dangerous load.

35. Toxic substances, which have leaked into the soil or into the water tanks in the process of liquidation the consequences of the damage must be completely neutralized. After carrying out the neutralization works, the workers of the sanitary-epidemiological station organize laboratory inspection of the efficiency of the execution of these works.

36. The possibility of resumption of the movement of means of transport through the area where the damage occurred to the transport of dangerous, toxic or radioactive loads is established by the workers of the station sanitary-epidemiological after performing analyzes regarding the state of the environment.

37. In case of winter creation of the emergency situation or of the damage with dangerous loads, the laboratory control on the efficiency of the decontamination works is carried out again during the period warm of the year, and in case of need, a decontamination is made.

38. The works for the liquidation of the consequences of the damages shall be considered completed with the liquidation contamination of the damaged territory and after the issuance of the expert report of the sanitary-epidemic station.

39. During the carrying out of the works for the liquidation of the consequences of the damages produced at the transportation toxic or radioactive substances, account shall be taken of the specific properties of the means of protection individual and permissible radiation doses.

In the innocuous district of damage, sanitary treatment points for the herd, for degassing or disabling the technique.

40. Ensuring the formations participating in the liquidation of the consequences of the damages with means of degassing, deactivation and solutions are carried out at the command of the work manager by forwarding (receiving) undertakings or other establishments, situated in the vicinity of the place where they were located damaged product.

41. The Ministry of Transport establishes the places of loading-unloading of cargoes dangerous at railway stations, river ports and aerodromes, also carry out a check on the creation of the departmental security systems regarding the primordial actions for the liquidation of the the consequences of damage.

#### **V. Supervision and control of compliance requirements of the Regulation on transport dangerous loads**

42. State surveillance on the implementation of the single technical policy on security issues of the transport of dangerous loads, compliance with international rules and rules of carriage, the requirements of this Regulation shall be carried out by the state body empowered by the Government of the Republic of Moldova.

43. Requirements of the bodies and inspectorates of state surveillance regarding the observance of the provisions All carriers shall be bound for execution of this Regulation.

44. Control over the observance of the provisions of this Regulation shall be exercised: in transport car - by the Traffic Police, in the railway, air and river transport - by the Transport Police.

#### **VI. Organization of training of management and transporting specialists dangerous loads**

45. The managers of undertakings carrying out the transport of dangerous loads shall ensure the special training required of the managers of these enterprises, regardless of the forms of property, and carry out permanent control over the special training of workers and officials admitted to the performance of the loading-unloading, transporting and accompanying of cargoes Dangerous.

46. Managers of enterprises, organizations and institutions, regardless of the form of ownership, bears personal responsibility for the training of workers and officials, who carry out works of loading-unloading, transporting or accompanying dangerous loads. They are obliged to ensure the special training of the mentioned persons.

47. The managers of enterprises, organizations and institutions, who deal with the dispatch, receipt and transport of dangerous loads, also workers and officials, who perform unhindering, transporting or accompanying cargoes unhindered dangerous, are trained at the training courses, according to the study programs, coordinated with the state surveillance bodies and the Ministry of Health. At the end of the training course and after the colloquia, the audiences are issued a certificate special (a permit) which entitles them to carry out work with dangerous loads, transporting and accompanying them.

## **VII. Responsibility for the transport of dangerous loads**

48. For the non-observance of the requirements of this Regulation and the requirements of the technical documentation for the transport of dangerous loads, the transport of these loads bears liability in accordance with the legislation in force of the Republic of Moldova.

49. The consignor of the dangerous cargo shall be liable in accordance with the legislation in force for the presentation of incomplete data or their falsification concerning their character, volume, and compliance with the load of standards.

50. For the violation of the technological process and of the transport norms regarding the insurance security, transport organizations and enterprises are responsible in accordance with the legislation in the force of the Republic of Moldova.

They shall not be liable in cases where:

a) the damage occurred as a result of the "fors major" situation (earthquake, storm, flood, landslides, etc.), as well as as a consequence of premeditated actions of third parties;

b) have been misled by the shipper of the cargo as to the degree of danger of the the cargo carried.

51. Undertakings and organizations, participating in the transport of dangerous loads, and guilty of the fact that the damage occurred, are obliged to recover the damages caused as a result of the loads allowed by them, including the cost of restoration works, as well as pay compensations to families and those who have suffered, in accordance with the legislation in force of the Republic Moldova.

## **VIII. Financial insurance of measures concerning liquidation of damage situations and damages in transport and their consequences**

52. Responsibility and expenses for the liquidation of the situations of damage in transport and their consequences are borne by natural and legal persons, through whose fault the damage situation was created, according to the legislation in force.

53. The size of the direct and indirect material damages, as a result of the damage situation and its consequences, is determined by a specially established committee, designated, according to the volume of the material damages, by ministries, state departments, local self-administration bodies or to the Government of the Republic of Moldova.

## **IX. Special and military transports**

54. Special and military transports shall be regulated by this Regulation, as well as by orders of the Ministry of Defense, ministry of internal affairs, head of the Department of Troops of Border guards and director of the Information and Security Service of the Republic of Moldova, who are also coordinated with the Ministry of Transport.

(Paragraph 54 as amended by HG1269 of 20.12.00, MO163.29.12.00)

55. The list of dangerous cargoes, which are transported as special or military cargoes, shall be approved by the Government of the Republic of Moldova.

## **Annex no.2**

**to the Government Decision**

**Republic of Moldova**

**no.45 of 24 January 1994**

LIST

dangerous cargoes the transport of which is prohibited on the territory of the Republic of Moldova, with all types of means of transport, without the special permission of the Government of the Republic of Moldova Name of dangerous loads, their classification: Degree of endanger

1 2

Explosive substances (S.E.) 1

Toxic fighting substances (S.T.L.) 6

Radioactive substances (S.R.) and bacteriological substances (S.B.) 7

RADIOACTIVE SUBSTANCES

Radioactive raw material (uranium ore, thorium and their concentrates) 7

Nuclear fuel (nuclear-explosive, divisible radioactive substances): U233; U-235; U-238; pu-239 7

Radioactive waste from atomic reactors (solid, liquid, gaseous).

BACTERIOLOGICAL (BIOLOGICAL) SUBSTANCES

Cultures of microorganisms - pathogens of infectious diseases, distinguished by dangerous for humans and animals:

cholera, plague, brucellosis, anthrax, Q fever, morva, peatland, hemorrhagic fever virotic, botulism.

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Note: Transportation of hazardous loads of grade 1.7, as well as toxic substances of combat (grade 6) is carried out in the order established by special regulations