Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

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

17 May 2018 [shall come into force on 25 May 2018];

14 May 2020 [shall come into force on 11 June 2020].

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) **protection** – 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) **dangerous goods with special risk potential** – 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 dangerous goods with special risk potential in accordance with the international agreements referred to in Section 3 of this Law;

4) **handling of dangerous goods** – an aggregate of organisational and technological operations (for example, classification, packaging, filling-up of tanks, tank containers or gas receptacles, labelling, drawing up of carriage documents, loading, forwarding, carriage, unloading, issuance to the recipient) to be performed in carrying dangerous goods by road, rail, sea 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) **participant in the handling of dangerous goods** – a natural person, a legal person or an association of persons involved in the handling of dangerous goods. Participants in the handling 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 handling of dangerous goods** – packaging, receptacles, tanks, tank containers, containers for bulk cargoes (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 handling of dangerous goods.

**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 handling of all types of dangerous goods and any participant in the handling of dangerous goods involved therein, as well as the mechanism for control and supervision of the handling 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**

Participants in the handling of dangerous goods shall, while fulfilling their obligations, comply with the requirements applicable in the handling 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 the participants in the handling of dangerous goods regarding the handling 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 handling of dangerous goods endanger the safety of carriage, causing danger to human or animal life or health, property or the environment – to require the participant in the handling 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 participant in the handling of dangerous goods which has violated the requirements of this Law or other laws and regulations regulating the handling of dangerous goods in accordance with a decision that has come into effect 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 the elimination of the established violations which have arisen during control.

**Section 13. Most Serious Infringements in the Field of Carriage of Dangerous Goods by Road**

(1) For the infringement referred to in Paragraph 9(1) of Annex I to Commission Regulation (EU) 2016/403 of 18 March 2016 supplementing Regulation (EC) No 1071/2009 of the European Parliament and of the Council with regard to the classification of serious infringements of the Union rules, which may lead to the loss of good repute by the road transport operator, and amending Annex III to Directive 2006/22/EC of the European Parliament and of the Council (hereinafter – Regulation (EU) No 2016/403), a fine from eighty-six to five hundred and eighty units of fine shall be imposed on a carrier, a fine from one hundred to two hundred and forty units of fine – on a consignor who is a natural person, but a fine from two hundred and eighty to one thousand and four hundred units of fine – on a legal person.

(2) For the infringement referred to in Paragraph 9(2) of Annex I to Regulation (EU) No 2016/403, a fine from twenty-eight to sixty-four units of fine shall be imposed on a driver, a fine from eighty-six to five hundred and eighty units of fine – on a carrier, a fine from one hundred to two hundred and forty units of fine – on a consignor who is a natural person, but a fine from two hundred and eighty to one thousand and four hundred units of fine – on a legal person.

(3) For the infringement referred to in Paragraph 9(3) of Annex I to Regulation (EU) No 2016/403, a fine from twenty-eight to sixty-four units of fine shall be imposed on a driver, a fine from eighty-six to five hundred and eighty units of fine – on a carrier, a fine from one hundred to two hundred and forty units of fine – on a consignor who is a natural person, but a fine from two hundred and eighty to one thousand and four hundred units of fine – on a legal person.

(4) For not appointing a safety adviser (counsel), a fine from one hundred to two hundred and forty units of fine shall be imposed on the responsible participant in the handling of dangerous goods who is a natural person, but a fine from two hundred and eighty to one thousand and four hundred units of fine – on a legal person.

[*14 May 2020 /* *Section shall come into force on 1 July 2020.* *See Paragraph 3 of Transitional Provisions*]

**Section 14. Very Serious Infringements in the Field of Carriage of Dangerous Goods by Road**

(1) For the infringement referred to in Paragraph 9(4) of Annex I to Regulation (EU) No 2016/403, a fine from fourteen to fifty-six units of fine shall be imposed on a driver, a fine from eighty-six to four hundred and twenty units of fine – on a carrier, a fine from fifty-six to one hundred and eighty units of fine – on a consignor who is a natural person, but a fine from eighty-six to one thousand and four hundred units of fine – on a legal person.

(2) For the infringement referred to in Paragraph 9(5) of Annex I to Regulation (EU) No 2016/403, a fine from fourteen to fifty-six units of fine shall be imposed on a driver, a fine from fifty-six to two hundred and eighty units of fine – on a carrier, a fine from eighty-six to one hundred and fifty units of fine – on a consignor who is a natural person, but a fine from two hundred and eighty to one thousand and four hundred units of fine – on a legal person.

(3) For the infringement referred to in Paragraph 9(6) of Annex I to Regulation (EU) No 2016/403, a fine from twenty-eight to sixty-four units of fine shall be imposed on a driver, a fine from fifty-six to four hundred and twenty units of fine – on a carrier, a fine from twenty-eight to one hundred and forty units of fine – on a consignor who is a natural person, but a fine from fifty-six to four hundred and twenty units of fine – on a legal person.

(4) For the infringement referred to in Paragraph 9(7) of Annex I to Regulation (EU) No 2016/403, a fine from fourteen to fifty-six units of fine shall be imposed on a driver, a fine from fifty-six to two hundred and eighty units of fine – on a carrier, a fine from eighty-six to one hundred and forty units of fine – on a consignor who is a natural person, but a fine from two hundred and eighty to one thousand and four hundred units of fine – on a legal person.

(5) For the infringement referred to in Paragraph 9(8) of Annex I to Regulation (EU) No 2016/403, a fine from twenty-eight to fifty-six units of fine shall be imposed on a driver, a fine from fifty-six to one hundred and forty units of fine – on a carrier, a fine from fifty-six to one hundred and forty units of fine – on a consignor who is a natural person, and a fine from fifty-six to two hundred and eighty units of fine – on a legal person.

(6) For the infringement referred to in Paragraph 9(9) of Annex I to Regulation (EU) No 2016/403, a fine from fourteen to fifty-six units of fine shall be imposed on a driver, a fine from fifty-six to one hundred and forty units of fine – on a carrier, a fine from seventy to one hundred and forty units of fine – on a consignor who is a natural person, but a fine from one hundred and forty to eight hundred and sixty units of fine – on a legal person.

(7) For the infringement referred to in Paragraph 9(10) of Annex I to Regulation (EU) No 2016/403, a fine from fourteen to fifty-six units of fine shall be imposed on a driver, a fine from seventy to one hundred and forty units of fine – on a carrier, a fine from eighty-six to one hundred and forty units of fine – on a consignor who is a natural person, but a fine from one hundred and forty to five hundred and eighty units of fine – on a legal person.

(8) For the infringement referred to in Paragraph 9(11) of Annex I to Regulation (EU) No 2016/403, a fine from fourteen to fifty-six units of fine shall be imposed on a driver, a fine from twenty-eight to four hundred and twenty units of fine – on a carrier, a fine from twenty-eight to one hundred and forty units of fine – on a consignor who is a natural person, but a fine from eighty-six to five hundred and eighty units of fine – on a legal person.

(9) For the infringement referred to in Paragraph 9(12) of Annex I to Regulation (EU) No 2016/403, a fine from twenty-eight to sixty-four units of fine shall be imposed on a driver, a fine from seventy to two hundred and eighty units of fine – on a carrier, a fine from seventy to one hundred and forty units of fine – on a consignor who is a natural person, but a fine from seventy to four hundred and twenty units of fine – on a legal person.

(10) For the infringement referred to in Paragraph 9(13) of Annex I to Regulation (EU) No 2016/403, a fine from eight to twenty units of fine shall be imposed.

(11) For the infringement referred to in Paragraph 9(14) of Annex I to Regulation (EU) No 2016/403, a fine from eight to twenty units of fine shall be imposed.

(12) For the carriage or transfer for carriage of dangerous goods without conforming to the necessary safety requirements in relation to loading of dangerous goods together with other goods, a fine from fourteen to fifty-six units of fine shall be imposed on a driver, a fine from twenty-eight to four hundred and twenty units of fine – on a carrier, a fine from twenty-eight to one hundred and forty units of fine – on a consignor who is a natural person, and a fine from eighty-six to eight hundred and sixty units of fine – on a legal person.

(13) For the carriage or transfer for carriage of dangerous goods if the time period for exploitation or the period of the next inspection of the means of carriage laid down in this Law has been exceeded, a fine from fourteen to fifty-six units of fine shall be imposed on a driver, a fine from twenty-eight to two hundred and eighty units of fine – on a carrier, a fine from fifty-six to one hundred and forty units of fine – on a consignor who is a natural person, and a fine from eighty-six to five hundred and eighty units of fine – on a legal person.

(14) For non-instruction, non-performance of training, or non-provision with instructions of employees whose duties include activities with dangerous goods or for non-registration of such training, or also for not presenting the relevant documents upon request of the competent authority, a fine from twenty-eight to one hundred and forty units of fine shall be imposed on the responsible participant in the handling of dangerous goods who is a natural person, but a fine from fifty-six to five hundred and eighty units of fine – on a legal person.

(15) For not drawing up, incorrect drawing up, or not presenting a security plan upon request of the competent authority, a fine from twenty-eight to one hundred and forty units of fine shall be imposed on the participant in the handling of dangerous goods who is a natural person, but a fine from fifty-six to five hundred and eighty units of fine – on a legal person.

[*14 May 2020 /* *Section shall come into force on 1 July 2020.* *See Paragraph 3 of Transitional Provisions*]

**Section 15. Serious Infringements in the Field of Carriage of Dangerous Goods by Road**

(1) For the infringement referred to in Paragraph 9(15) of Annex I to Regulation (EU) No 2016/403, a fine from eight to twenty units of fine shall be imposed on a driver, but a fine from fourteen to twenty-eight units of fine – on a carrier.

(2) For the infringement referred to in Paragraph 9(16) of Annex I to Regulation (EU) No 2016/403, a fine from twenty to twenty-eight units of fine shall be imposed on a driver, but a fine from eighty-six to two hundred and eighty units of fine – on a carrier.

(3) For the infringement referred to in Paragraph 9(17) of Annex I to Regulation (EU) No 2016/403, a fine from fourteen to fifty-six units of fine shall be imposed on a driver, a fine from twenty-eight to sixty-four units of fine – on a carrier, a fine from fourteen to sixty-four units of fine – on a consignor who is a natural person, but a fine from twenty-eight to sixty-four units of fine – on a legal person.

(4) For the infringement referred to in Paragraph 9(18) of Annex I to Regulation (EU) No 2016/403, a fine from ten to twenty units of fine shall be imposed on a driver, a fine from fourteen to sixty-four units of fine – on a carrier, a fine from fourteen to sixty-four units of fine – on a consignor who is a natural or legal person.

(5) For the infringement referred to in Paragraph 9(19) of Annex I to Regulation (EU) No 2016/403, a fine from ten to twenty units of fine shall be imposed on a driver, a fine from fourteen to sixty-four units of fine – on a carrier, a fine from fourteen to forty-two units of fine – on a consignor who is a natural person, but a fine from fourteen to sixty-four units of fine – on a legal person.

(6) For the infringement referred to in Paragraph 9(20) of Annex I to Regulation (EU) No 2016/403, a fine from fourteen to fifty-six units of fine shall be imposed on a driver, a fine from eighty-six to four hundred and twenty units of fine – on a carrier, a fine from fifty-six to one hundred and forty units of fine – on a consignor who is a natural person, but a fine from eighty-six to eight hundred and sixty units of fine – on a legal person.

(7) For the infringement referred to in Paragraph 9(21) of Annex I to Regulation (EU) No 2016/403, a fine from fourteen to fifty-six units of fine shall be imposed on a driver, a fine from eighty-six to two hundred and eighty units of fine – on a carrier, a fine from fifty-six to one hundred and forty units of fine – on a consignor who is a natural person, but a fine from eighty-six to eight hundred and sixty units of fine – on a legal person.

(8) For the infringement referred to in Paragraph 9(22) of Annex I to Regulation (EU) No 2016/403, a fine from fourteen to fifty-six units of fine shall be imposed on a driver, a fine from eighty-six to four hundred and twenty units of fine – on a carrier, a fine from fifty-six to one hundred and forty units of fine – on a consignor who is a natural person, but a fine from eighty-six to eight hundred and sixty units of fine – on a legal person.

(9) For the infringement referred to in Paragraph 9(23) of Annex I to Regulation (EU) No 2016/403, a fine from fourteen to fifty-six units of fine shall be imposed on a driver, a fine from sixty-four to one hundred and forty units of fine – on a carrier, a fine from sixty-four to one hundred and forty units of fine – on a consignor who is a natural person, but a fine from sixty-four to five hundred and eighty units of fine – on a legal person.

(10) For the infringement referred to in Paragraph 9(24) of Annex I to Regulation (EU) No 2016/403, a fine from fourteen to fifty-six units of fine shall be imposed on a driver, a fine from forty-two to eighty-six units of fine – on a carrier, a fine from fourteen to forty-two units of fine – on a consignor who is a natural person, and a fine from forty-two to one hundred units of fine – on a legal person.

(11) For the performance of carriage or transfer for carriage of dangerous goods with an inappropriately drawn-up carriage document, a fine from eight to twenty units of fine shall be imposed on a driver, a fine from fourteen to fifty-six units of fine – on a carrier, a fine from forty-two to one hundred and forty units of fine – on a consignor who is a natural person, but a fine from forty-two to two hundred and eighty units of fine – on a legal person.

(12) For the carriage of passengers in a vehicle in which dangerous goods are carried, a fine of fourteen units of fine shall be imposed on a driver.

(13) For labelling or designating a vehicle or means of transport if dangerous goods are not carried therewith, a warning or a fine from three to eight units of fine shall be imposed on a driver.

[*14 May 2020 /* *Section shall come into force on 1 July 2020.* *See Paragraph 3 of Transitional Provisions*]

**Section 16. Infringements in the Field of Carriage of Dangerous Goods by Rail**

(1) For not appointing safety advisers (counsels), a fine from one hundred to two hundred and forty units of fine shall be imposed on the participant in the handling of dangerous goods who is a natural person, but a fine from two hundred and eighty to one thousand and four hundred units of fine – on a legal person.

(2) For non-conformity with the obligations indicated in Annex to Appendix C, Regulations concerning the International Carriage of Dangerous Goods by Rail, of the Protocol of 3 June 1999 for the Modification of the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980 or in Chapter 1.4 of Annex 2, Rules for transportation of dangerous goods, of the Agreement on International Goods Transport by Rail (SMGS) of 1 November 1951, a fine of up to two hundred and forty units of fine shall be imposed on the responsible participant in the handling of dangerous goods who is a natural person, but a fine of up to one thousand and five hundred units of fine – on a legal person.

[*14 May 2020 /* *Section shall come into force on 1 July 2020.* *See Paragraph 3 of Transitional Provisions*]

**Section 17. Competence in the Administrative Offence Proceedings**

(1) The administrative offence proceedings regarding the offences referred to in Sections 13, 14, and 15 of this Law shall be conducted by the State Police.

(2) The administrative offence proceedings regarding the offences referred to in Section 16 of this Law shall be conducted by the State Railway Technical Inspectorate.

[*14 May 2020 /* *Section shall come into force on 1 July 2020.* *See Paragraph 3 of Transitional Provisions*]

**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.

3. Amendments to this Law regarding the supplementation of the Law with Sections 13, 14, 15, 16, and 17 shall come into force concurrently with the Law on Administrative Liability.

[*14 May 2020*]

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