

On the basis of Article 95 point 3 of the Constitution of Montenegro hereby Crner

DECREE ON THE PROMULGATION OF THE LAW ON TRANSPORT DANGEROUS GOODS

I declare the Law on transport of dangerous goods, which was passed by the Assembly of Montenegro, at the sixth session of the second regular session in 2007. year, on 26 December 2007. year.

No: 01-36/2
Podgorica, 11 January 2008. The

President of Montenegro,
Filip Vujanovic, mp

LAW OF CARRIAGE OF DANGEROUS GOODS

I GENERAL PROVISIONS

Subject Planning

Article 1

This law regulates the conditions under which the transport of dangerous goods is the actions that are associated with this transport (preparation of materials for transport, loading and unloading and incidental manipulation), as well as supervise the implementation of this law.

Types of Dangerous Goods

Article 2

Hazardous substances, the purpose of this law are:

Class 1a - Explosive substances;

Class 1b - Cases filled with explosive materials;

Class 1C - Funds for the ignition, vatrometni objects and other objects;

Class 2 - solid gases, gas converted to liquid and gases dissolved under pressure;

Class 3 - Flammable liquids;

Class 4.1 - Flammable solids;

Class 4.2 - substances tend Self-igniting;

Class 4.3 - substances that in contact with water develop flammable gases;

Class 5.1 - Oksidirajuće matter;

Class 5.2 - Organic peroxides;

Class 6.1 - Poisons;

Class 6.2 - nasty and infectious substances;

Class 7 - Radioactive substances;

Class 8 - Corrosive (corrosive) materials;

Class 9 - Miscellaneous dangerous substances.

Definitions of hazardous materials

Article 3

Explosive materials, objects filled with explosive materials, the means of ignition, vatrometni objects and other objects (hereinafter referred to explosive materials) are solid and liquid chemical substances that have a trait that, under suitable external effect (impact or friction), an explosive chemical breakdown release energy in the form of heat or gases.

Compressed gases, gas converted to liquid and gases dissolved under pressure (hereinafter referred to as gas) are substances that have a lower critical temperature of 50 oC to 50 oC or

vapor pressure higher than 300 kPa (3 bar).

Flammable liquids are liquids or mixture of liquids at a temperature of 50 °C have a lower vapor pressure of 300 kPa (3 bar), a flash point lower than 100 °C.

Flammable solids are solids which, when in dry state, can easily burn in contact with flame or sparks (sulfur, celluloid, Nitrocellulose, red phosphorus, etc.), But are not inclined to Self-igniting.

Self-igniting substances are substance that fell in contact with air or water without the mediation of other materials (white and yellow phosphorus, zinc rings, waste, nitrocelulozni movies, raw cotton, used rags, etc.).

Substances which in contact with water develop flammable gases are substances that in contact with water develop gases which are burnt in contact with flames and sparks (sodium, potassium, calcium, calcium carbide, alkali silicidi, etc.).

Oksidirajuće substances are substances that are in contact with other substances break down and in doing so can cause a fire (chloride, perflorati, aqueous solution of hydrogen super oxide, alkali metal peroxides and their mixtures, etc.).

Organic peroxides are organic substances with a higher degree of oxidation that can cause harmful consequences to the health or life of the people or damage to material goods, and are less sensitive to the explosion of dinitrobenzola in contact with the flame or shock or friction.

Toxins are substances of synthetic, biological or natural origin, and preparations made from these substances which entered the body or in contact with the organism, can endanger human life or health or harmful act on the environment.

Nasty and infectious substances are substances that spread an unpleasant odor or containing microorganisms or their toxins that are known that can cause infectious diseases in humans and animals (fresh, unsalted or salted skins, offal, intestines, glands, feces, etc.).

Radioactive materials are substances whose specific activity exceeds 74 Becquerel (0.02 mikrokirija) per gram.

Corrosive (corrosive) materials are substances that in contact with other substances and living organisms, causing their damage or destruction (kisjelina sulfuric, nitric kisjelina, bromine, ant kisjelina, sodium hloroksid, etc.).

Other dangerous substances are substances which, during transport present a danger, and that can not be classified in classes 1 to 8 (asbestos, dry ice, magnetic materials, etc.).

Considered hazardous materials and raw materials from which to produce hazardous materials and waste - if you have the characteristics of these materials.

Preventive and protective measures

Article 4 of

Companies, other legal persons, entrepreneurs and individuals who perform the transport of dangerous goods and other actions with respect to those taught in the transport or transport dangerous goods, as well as persons who manage the means of transport carrying hazardous materials during transport or directly handle or otherwise come into contact with such substances are obliged to take preventive and protective measures to ensure protection of life and health, environment or material goods, and traffic safety.

If a dangerous substance has properties of other dangerous substances that belongs to a class 2, and those traits may threaten life and health, the environment or material assets, business organization, legal entity or entrepreneur who is transport hazardous materials or other action with respect to these transport (hereinafter referred to as carrier), and a natural person handling during transportation or otherwise come into contact with such substances are obliged to take preventive and protective measures for the prevention and such hazards.

If the matter referred to in paragraph 2 of this article has one or more features for which can be classified as dangerous goods for transport which requires special approval, such a matter is

can be transported only with the approval of the competent organs of state administration in this particular law, no matter how classified.

Newly discovered hazardous materials

Article 5

Newly discovered hazardous materials can be transported if they meet conditions that were previously established as a scientific examination of the conditions which will ensure full security prilikog their transportation.

Handling hazardous materials

Article 6

A person who manages the transport vehicle that transports hazardous materials must be professionally trained to handle and transport hazardous materials in accordance with the law and have the age of 21 years of age.

Persons who are not professionally trained to handle hazardous materials can, if they were previously acquainted with the manner of work, risks and protective measures at work, only transmit, utovarati, pretovarati istovarati or hazardous substances, under the direction and supervision of professionally trained people to handle hazardous materials .

Prescribed control measures and transport conditions

Article 7

Carriers are required to organize and carry out a permanent control measures and implementing compliance with the prescribed conditions for the transport of hazardous materials and conducting activities related to these routes in accordance with the provisions of this Act, regulations issued under this law and international agreements on the transport of dangerous goods in some sectors traffic.

Appropriate application of international treaties and general rules of administrative procedure

Article 8

For questions about common packaging, prohibit common carriage in the same transportation vehicle, or the same space for the accommodation of cargo and ramp of the transport of dangerous goods in internal traffic, in accordance with the provisions of international treaties relating to the transport of dangerous goods in certain transport sectors.

Procedures that are subject to this law, provisions of the laws which regulate the general administrative procedure, unless this Law provides otherwise.

Insurance against damage to third parties

Article 9

Owner of dangerous goods is obliged to ensure the dangerous substance in case of damage caused to third parties as a result of death, injury to body or health, damage, or destruction of items, or environmental pollution during transportation.

The provision of paragraph 1 above shall not apply to small quantities of hazardous substances in Article 52 paragraph 2 and Article 72, paragraph 3 of this Law.

Exemption

Article 10

The provisions of this Law shall not apply to the transport of dangerous goods transport vehicles

of the Army of Montenegro (hereinafter: the Army).

Transport of dangerous goods vehicles the Army is carried out in accordance with special regulations.

The provisions of this Law shall not apply to any fuel in the tank vehicles, or other dangerous substances that are used to drive vehicles that have been placed in the specific courts, which make up a whole with the means of transport.

II JOINT SECURITY MEASURES FOR ALL DANGEROUS SUBSTANCE OR FOR CERTAIN TYPES OF THE MATTER

1st Packaging

Packaging Packaging

Article 11

Packaging in which hazardous materials are transported must objezbjeđuje protection of life and health and environmental protection during the transport of dangerous goods and hazardous materials handling.

Packaging in which hazardous materials are transported must be closed and tight, so that the carriage prevent loss or spillage of content.

Packaging, along with closures, all parts must be solid and strong enough to prevent relaxation during transport.

Hazardous substances must not damage the material from which the packaging and closures made with them or creating harmful or dangerous compounds.

If dangerous goods packed in packaging that is sensitive to moisture, space transportation vehicle in which such material is located must be protected from moisture and covered with impervious cover.

Production of packaging in accordance with the standards

Article 12

Courts, cisterns, containers and other types of packaging for the transport of dangerous goods must be made to the appropriate standards for the class of dangerous goods in accordance with the law.

If hazardous materials are transported in the courts of lomljivog resistant material or plastic, the courts need to be placed in protective packaging and provide material to fill empty space in order to prevent breakage under normal circumstances the Court of transport.

Material to fill the empty space must be set according to the nature of hazardous substances, and especially must be capable to absorb liquid dangerous substance or liquid which can be dangerous substance secreted.

Courts transport

Article 13

Courts for the transport of liquid dangerous goods or hazardous materials immersed in a liquid and the courts for the transport of hazardous materials solutions, and their closures shall be such as to withstand the internal pressure in temperature changes that matter can not reach during transport, taking into account the necessary vacuum to spread the liquid.

If the transport of liquid dangerous goods in whose aircraft is inside the air pressure at sea level changes during the flight is normal, the courts, which is located in the liquid dangerous goods and their closures shall be such that they can withstand changes in air pressure.

Mass transport vessels

Article 14

Courts for the transport of dangerous goods volume greater than 200 l must be made of steel or other suitable material.

If the vessels for the transport of hazardous liquids made from lomljivog materials and packed together, the total mass of vessels filled with liquid explosive substances must not be greater than 75 kg, and if the courts are made of material that is fragile and packed together, the total mass of courts, together with the liquid explosive substances, must not exceed 150 kg.

Bottles in which dangerous goods are transported

Article 15

Bottles in which transport dangerous goods are packed or placed in the pallet during transport in a vertical position, and gas bottles - in vertical or horizontal position.

Low bottle diameter of 30 cm long in which transport liquefied petroleum gas can be packaged or placed in vehicles for transportation and transported without pallets.

If the bottles packed in pallets or placed in a horizontal position, must be provided by rolling or moving, but if they are packed or placed in a pallet in a vertical position without a bottle or a wide range, must be secured from tipping over.

Packages in which the dangerous goods transport

Article 16

Packages in which they carry hazardous materials must be marked in a visible place appropriate signs of danger.

Packages with the courts made of lomljivog material must be marked with signs indicating that splitting the court and, if necessary, and the location of packages during transport.

Uncleaned empty vessels

Article 17

Uncleaned empty vessels in which there were hazardous materials must be closed and labeled in the same way as if they were filled with explosive material.

Vehicles carrying the courts referred to in paragraph 1 of this article must be marked in the same way as a means of transport carrying vessels filled with explosive material.

2nd Loading and unloading

Place for loading and unloading

Article 18

Loading and unloading of dangerous goods (loading, utakanje, transfer, draft, unloading, istakanje, storage and other operations in connection with loading or unloading) can be made only at certain places in particular that do not endanger human life and health, environment or material goods, and traffic safety.

The place where the performing loading or unloading of dangerous goods must be stocked and prescribed equipment and devices in a prominent place marked by an appropriate sign of danger, in accordance with the law.

Special places for loading and unloading

Article 19

At railway stations, ports and harbors, as well as at airports, on which is loading or unloading of dangerous goods the Ministry in charge of the Interior (hereinafter: Ministry) will designate a special place where they will be made loading and unloading of goods.

Determination of specific sites for loading and unloading of dangerous goods referred to in paragraph 1 of this article, conducted by the Ministry in accordance with the Ministry in charge of Transport and Maritime Affairs and Ministry in charge of health.

Restraining

Article 20

At the place where it is loading or unloading of dangerous goods is prohibited access to those who do not participate directly in the loading or unloading of goods.

Other prohibitions

Article 21

At the place where it is loading or unloading explosives or flammable hazardous substances is prohibited:

- 1) holding the material and equipment that can cause a fire or allow its expansion;
- 2) holding an open flame or open flame work (welding, etc..)
- 3) smoking and use of funds for the ignition (matches, lighters);
- 4) use of equipment or assets that have a furnace fire;
- 5) work with the tool or device that sparking type;
- 6) setting up overhead electric lines, regardless of the voltage;
- 7) operation of the motor vehicle.

During loading and unloading

Article 22

Loading and unloading of dangerous goods is carried out, as a rule, during the day.

If you are loading or unloading of dangerous goods is at night, lighting in the place of loading and unloading must be electric, and electric devices designed so that they can cause fire or explosion.

Honesty device

Article 23

Devices for loading and unloading dangerous goods must be correct, so it is excluded any possibility of leakage or spillage of displaying or hazardous materials and constructed in a way that does not damage the packaging dangerous goods.

Repletion devices for fire extinguishing

Article 24

The place where the performing loading or unloading of explosives, flammable gases or hazardous substances must be supplied appliances or other devices for extinguishing fires.

Apparatus for measuring gas concentrations in the air

Article 25

Closed space in which to perform loading or unloading of dangerous goods that develop gas or loading or unloading of radioactive materials must be equipped at least one device for measuring the concentration of gases in the air, and radioactivity in the area.

Apparatus for measuring concentrations of gases or radioactivity must be regularly reviewed and baždariti.

Control of safety devices and installations

Article 26

Companies, other legal persons, entrepreneurs and individuals who perform loading and unloading of hazardous substances in particular have a duty to control the accuracy of the device and the electrical installations in places where it is loading or unloading of dangerous substances, organized physical security of these places and take care of proper technical equipment and other means of extinguishing fires in these places.

Uzemljenost cisterns and other vehicles

Article 27

Cisterns and other vehicles carrying flammable liquid with a flash point lower than 55 °C, flammable gas in the courts that are full of vehicles or carrying other flammable substances whose flash point higher than 55 °C, if the technological reasons in manipulation of the material must be heated to a temperature higher than four-fifths of its flash point, as well as the transport means which transports hazardous materials class 1a, 1b, 1c, 4.1, 4.2, 5.1 and 5.2, have the time of loading or unloading of goods to be grounded, and the engine exhaust pipe must be equipped with spark catcher.

During the loading, unloading or handling of liquids or gases under paragraph 1 of this Article, the engine and equipment for zagrijevanje cab vehicles must be stopped, unless the motor vehicles used to drive pumps or other equipment for loading or unloading.

3rd Transport

Preparation for transport

Article 28

Company, legal person, an entrepreneur and a natural person who teaches in the transport of dangerous substance (hereinafter referred to as the sender) or carrying their own means of transport is required to prepare a hazardous substance so that it meets all the requirements for its transport, in accordance with the law .

Hazardous materials should not be given or received for carriage unless they met the conditions for its transport.

Ban on transport of dangerous goods

Article 29

Government authority to issue approval for the transport of dangerous goods in accordance with this law may prohibit the transportation of certain types of hazardous substances over a certain area or to determine that these types of dangerous goods are transported only a certain kind of means of transport, with increased security measures.

The accuracy and application of technical standards

Article 30

Vehicles carrying hazardous materials must be technically correct, created, equipped and marked according to standards, in accordance with the law.

Prohibition of transport and delivery of luggage

Article 31

Dangerous goods must not be given or received for carriage as baggage.

Notwithstanding paragraph 1 of this Article, the luggage can be used appliances, medical devices and other similar objects that contain minimal amounts of hazardous materials that do not pose a threat to the environment, and are for personal use (lighters, matches, varnishes, etc.).

Measures in case of

Article 32

The carrier is obliged to in case of dangerous goods during transport to take necessary steps to find it and to the danger presented by hazardous substances to inform the Ministry, the Ministry in charge of health and administrative body in charge of the police, if necessary, and the public.

Fall out and spill of hazardous substances

Article 33

In case of relegation, or hazardous materials spills, the carrier is obliged to provide, collect and remove, or to put in for that particular place or to otherwise render harmless and shall inform the Ministry, the administrative body in charge of the police and, if necessary, the ministry in charge of health.

If the carrier is unable to fire or hazardous materials spills to collect, remove, put in a certain place or in any other way to neutralize, the Ministry will call the company, legal entity or entrepreneur, you have the technical means for the execution of such work, to do so account carrier.

Places referred to in paragraph 1 of this article, designated by the Ministry in accordance with the Ministry in charge of Transport and Maritime Affairs and Ministry in charge of health.

Documents of carriage and instructions on specific security measures

Article 34

Sender who teaches a dangerous substance on transport duty for each shipment of hazardous materials release a document on transport and guidance on specific security measures during transportation of hazardous materials must be taken and delivered to the carrier.

Documents on the transport of hazardous materials include:

- 1) information on the type of hazardous materials (chemical, technical and trade name of the hazardous substance, a class which includes the serial number in that class, as well as the identification number from the relevant international agreements when it is established);
- 2) data on the quantity of dangerous goods (gross and net weight, number of pieces, etc..)
- 3) the sender indicating that the required conditions for the transport of dangerous goods;
- 4) The name or personal name, address and telephone number of the sender and the recipient;
- 5) an indication that the document of carriage of dangerous goods carrier and handed over a written instruction on the special security measures that the transport of dangerous goods must be carried out;
- 6) The signature and stamp of the sender.

Notwithstanding paragraph 1 of this Article, the document of carriage of dangerous goods not be issued if the waybill or other appropriate documents of carriage contain all the information about the hazardous substance listed in paragraph 2 of this Article.

The document by which the matter referred to in foreign countries

Article 35

Documents on the transport of dangerous goods that are referred to overseas must be written in a language which is in official use in Montenegro and in English, French, Russian or Germany's language.

Notwithstanding paragraph 1 of this Article, if the dangerous goods referred to in the country which borders with Montenegro, documents of carriage of dangerous goods can be written in the Montenegrin language and the language of that country.

The number of copies of documents

Article 36

Documents on the transport of dangerous goods shall be issued in three identical copies, one of which remains with the sender, one can be presented to the carrier, and one is delivered to the recipient of hazardous materials.

A person who manages the transport vehicle carrying dangerous goods is required to possess a document on the transport of dangerous goods, vehicle safety certificate, certificate of professional competence for the management of that vehicle and guidance on specific security measures under Article 34, paragraph 1 of this Law.

Guidelines on specific security measures

Article 37

Guidelines on specific security measures that must be taken during transport hazardous materials shall include, in particular:

- 1) indicating that the types of hazards and consequences that can lead to dangerous substances;
- 2) indication of specific measures to be taken during transportation of hazardous substances and measures to prevent or mitigate harmful consequences that may arise as a result of an accident or incident on the transportation vehicle (fire, broken packaging, fallout, spillage or display of dangerous substances and the like.);
- 3) treatment with the person who comes into contact with dangerous substances;
- 4) name, address and telephone number of the carrier or the name and telephone number of the body that has to inform about the accident or the accident that occurred during the transport of dangerous goods.

The signature on the receipt of hazardous materials declassé

Article 38

The carrier and the person who manages the transport vehicle carrying dangerous substances are required to document the transport of dangerous goods by signature confirmation of receipt of declared dangerous goods for transport.

Suspension of transport and taking measures

Article 39

If during the transportation carrier, or a person who manages the transport vehicle carrying dangerous substances found, or otherwise becomes aware that carrying a dangerous substance whose transport is prohibited, is obliged to immediately suspend the further transport of dangerous goods and inform the Ministry, the administrative body in charge of Police and the sender.

Uploader dangerous substances referred to in paragraph 1 of this Article shall immediately after receiving notice of suspension of transport take a dangerous matter and take appropriate measures to ensure that there is no threat to human health, environment and property.

Informing the sender of the suspension

Article 40

The carrier or the person who manages the transport vehicle carrying dangerous substances during transport found to carry a dangerous substance that does not meet the requirements for transportation or which is not declared as dangerous goods incorrectly declared, or is obliged to suspend the further transport of dangerous goods and how notify the sender.

Uploader dangerous substances referred to in paragraph 1 of this Article shall immediately after receiving notice of the suspension of transportation to eliminate defects found or take a dangerous substance.

III SPECIAL SECURITY MEASURES FOR CERTAIN TYPES OF TRANSPORTATION OF DANGEROUS GOODS

1st Explosive materials

Place for loading and unloading

Article 41

Loading and unloading of explosives outside the circle of companies, other legal entities that you keep the materials or products for their regular activities can be carried out only in places designated by the Ministry.

Clearance for the
Article 42

For the transport of explosive material requires approval.

Approval for the transport of explosives by the Ministry.

The approval referred to in paragraph 1 of this Article is not necessary if the transport of explosive materials is for the Army and the military provision.

The military is bound to the transport referred to in paragraph 3 above shall inform the Ministry, at least 48 hours prior to the transportation, in writing, with all the data on transport (type, quantity, direction of travel, etc.).

Request for approval

Article 43

Request for approval for the transport of explosive materials shall sender explosive materials.

The request in paragraph 1 above shall include:

- 1) name or the name and address of the sender;
- 2) the type, technical name, amount and method of packing explosives;
- 3) edge of the explosive materials which leads to the nomenclature of dangerous goods international contract for transportation of dangerous substances;
- 4) Name and address of the manufacturer of explosive materials;
- 5) The name or personal name and address of the carrier;
- 6) the date and approximate hour of initiation of transportation, itinerary and transportation end position;
- 7) a label indicating the type and means of transport;
- 8) the name or the name and address of the recipient;
- 9) special security measures during transportation of explosives;
- 10) Name of input or output of border crossings and the time will make the transport of explosive materials across the border or territory of Montenegro.

Special security measures

Article 44

The Ministry may, if necessary, order taking and special security measures during transportation of certain explosive materials (direction of movement of the sender or carrier escort, escort authorized police officer, etc.).

The cost of special security measures in paragraph 1 of this Article, in domestic service shall be borne by the sender of explosive materials and the import, export or transit of explosive materials costs borne by the carrier.

The amount of explosive substances which are transported

Article 45

If the agreed import or export of large quantities of explosive materials which can not carry across the border of Montenegro with a single means of transport or simultaneously with multiple means of transportation, transportation permit can be issued for the entire amount of explosives. In this case, the entire amount of transportation of explosive materials must be made through the same border crossing, and within that can not be longer than three months, with the obligation of carriers to each carriage, in writing, notify the Ministry, with all the data on transport (type, quantity, direction of travel, etc.).

In domestic traffic transport explosive materials in one approval, shall be saved.

Notwithstanding paragraph 2 of this article may be approved and reusable transport explosive materials in one approval, but no more than the amount that can be stored in the warehouse of the company, other legal persons and entrepreneurs which the authorization for the procurement

of explosives.

Transport of explosive substances referred to in paragraph 3 of this Article, must be made within two months, with the obligation of carriers to each carriage, in writing, notify the Ministry, with all the data on transport (type, quantity, etc. Road.).

Prohibition of transport with other explosive materials

Article 46

Explosive materials and resources for their initiation must not be transported together in the same space vehicles.

The provisions of paragraph 1 above shall not apply to the transportation of items filled with explosive materials in which the means of lighting installed in the production (ammunition, anti-hail rockets, ammunition and other cargo.), As well as the common transport of explosives and 50 kg, except for signs of explosives 9a and 10a of the European agreement on international carriage of dangerous goods in road transport - ADR, the required amount of detonatorskog fuse for the explosives and up to 200 lighters, provided that the lighters are in the original package and is separated from detonating explosives.

Explosive materials are not allowed to carry in the driver's cab and space vehicles in which persons are transported.

Notification of carriage

Article 47

The carrier of explosive materials shall the amount of any missing explosives during transport immediately inform the Ministry and the administrative body in charge of the police.

2nd Gases

Courts for the transport of gas

Article 48

Courts that are intended for the transport of a gas can be charged and the second type of gas, provided that the minimum test pressure of the gas does not exceed the test pressure for which the vessel was tested and the name of the gas and the largest allowable weight charge to be stored in the container, taking into account the appropriate security measures that require the properties of each gas.

Repletion valves

Article 49

Courts in which the transport gas must be supplied the correct valves. Valves in these courts must be protected by a protective cap or protective ring and sealed during transport.

Funds for transport vessels and equipment for personal protection

Article 50

Transport vessels with gas is carried out, as a rule, open transport vehicle in which cargo must be protected from harmful atmospheric influences, but the courts are made of materials resistant to atmospheric influences.

Transport vessels with gases can be done and closed transport vehicle if it is supplied or ventilation device is provided constantly airing.

Staff vehicles carrying toxic gases and other hazardous substances that generate steam and gases hazardous to health during transportation must have the appropriate equipment for personal protection in accordance with the law.

3rd Flammable liquids

Courts for the transport and application of standards

Article 51

Courts in which transport flammable liquids must meet the technical conditions laid down the type of flammable liquid, in accordance with the law.

If flammable liquids are transported in metal barrels or metal bottles and barrels and bottles must be made according to established standards, in accordance with the law, or to foreign or international standard that is not in conflict with national standards.

4th Poisons

Clearance for the cross-border

Article 52

For the transport of toxins across the state border or territory of Montenegro (import, export and transit) requires the approval issued by the Ministry in charge of health, in accordance with the Ministry.

Exceptionally, small amounts of poison intended for laboratory and scientific purposes can be transported across the state border or territory of Montenegro without the approval in paragraph 1 of this Article, the liability of each carrier to transport, in writing, notify the authorities referred to in paragraph 1 of this Article, the all data on transport (type, quantity, travel direction etc.)..

Ministry in charge of health shall prescribe the amount of toxins considered to be less the amount allocated for laboratory and scientific purposes.

Poisons should not be transported in the same cargo space with food, animal food, medicine and general use items subject to health surveillance.

Approval of the carriage in domestic service

Article 53

For the transport of toxins in domestic service should be approved.

Approval for the transport of toxins in paragraph 1 of this article, issued by the Ministry in charge of health in accordance with the Ministry.

The approval referred to in paragraph 1 of this Article, it is not necessary if the transport is poison for the Army and the military security, with the obligation of any carrier to transport, in writing, notify the authorities referred to in paragraph 1 of this Article, with all the data on transport (type, quantity , travel direction etc.)..

Special security measures

Article 54

Ministry in charge of health may, if necessary, to order the special security measures during the transport of certain toxins (direction of movement of the sender or escort carrier, an authorized police officer or sanitary inspector).

The cost of special security measures in paragraph 1 of this Article, in domestic service shall be borne by the sender of the poison.

The composition, tasks and equipment that makes the technical staff of the sender or the escort carrier during the transport of toxins in paragraph 1 of this article, provides Ministry in charge of health.

Content requirements and guidance on specific security measures

Article 55

Request for approval for the transport of toxins poison submitted sender.

The request in paragraph 1 above shall include:

- 1) name or the name and address of the sender;
- 2) name or the name and address of the carrier;
- 3) the name and quantity of toxins, poisons way packaging and identification number;
- 4) a label indicating the type and means of transport;
- 5) The name or personal name and address of the recipient;
- 6) the date and approximate hour of the beginning of transportation;
- 7) itinerary transport.

An application referred to in paragraph 1 of this Article the sender is required to attach special instructions on security measures during the transport of toxins.

Wasting, or swelling of the poison

Article 56

If during the transport of toxins occurs wasting or swelling due to poison damage vehicles or for other reasons why there is a risk of contamination of the environment, the carrier is obliged to visibly mark the place where the waste is derived toxins, to immediately inform the Ministry in charge of health, ministries and administrative organs in charge of the police and that until the arrival of a competent inspector or authorized police officers prevent access to people and animals that place.

5th Radioactive substances

Packaging for packaging and transport

Article 57

Radiaktivne materials can be packed and transported in containers namijenjenoj only for certain types of radioactive material, depending on the size and the power source, agregatnog state and other properties of radioactive substances.

Dose radiation on the surface of packaging and at a certain distance from the packaging and the level of contamination on the surface of containers shall not be greater than the amounts specified for the type and category of packaging and provided for regulations on protection against ionizing radiation and international agreements on the transport of dangerous goods in different branches of traffic .

Security measures by type of risk

Article 58

If the radioactive material at the same time, and toxic, explosive or flammable, and in preparing such radioactive materials for transport, as well as during transport must be taken security measures required for each of these types of hazards, in accordance with the law.

Loading area for transport in domestic service

Article 59

Radioactive materials shall not be transported in domestic traffic in the same cargo space with food, common use cases that are subject to health surveillance, medicine and fodder.

Authorization for transportation and special security measures

Article 60

For the transport of radioactive material requires approval.

Approval for the transport of radioactive material issued by the ministry in charge of health in accordance with the Ministry.

The authority referred to in paragraph 2 of this Article may, if necessary, order taking and special security measures during transportation of certain radioactive substances (direction of movement of the sender or carrier escort, escort authorized police officer, etc.)..

The cost to implement the measures referred to in paragraph 3 of this Article, the internal traffic of radioactive materials shall be borne by the sender, and the import or transit of radioactive materials, the carrier.

The approval referred to in paragraph 1 of this Article is not necessary if the transport of radioactive materials is for the Army and the military provision, the duty of every carrier to transport, in writing, notify the Ministry, with all the data on transport (type, quantity, direction of travel and etc.)..

Approval for Reusable Transport and notification prior to the transport

Article 61

Company, other legal entity and entrepreneur whose work related to the use of radioactive materials may be granted approval for the reusable transport materials and valid for three months.

The approval referred to in paragraph 1 of this Article shall indicate the amount of radioactive materials or sources of ionizing radiation and their total activity that can be transported along a particular means of transport.

Company, legal entity and the contractor are obliged to at least 24 hours prior to the transport of radioactive materials, the ministry in charge of the Ministry of Health and submit the notice containing:

- 1) the type and registration number of vehicles that will make transportation of radioactive materials;
- 2) number and date issued permits for transport;

- 3) Information about the type and quantity of radioactive substances, and the number of sources and their total activity;
- 4) personal data of persons who will make the transport of radioactive substances;
- 5) the time and place of the beginning of transportation of radioactive materials;
- 6) The itinerary of transportation assets;
- 7) time of arrival means of transport with radioactive substances in place of using the name or the name and address of the user.

The request and the content of requests for approval

Article 62

Request for approval for the transport of radioactive material submitted to the sender of radioactive substances.

The request in paragraph 1 above shall include:

- 1) name or the name and address of the carrier, if the transfer is done across the border between Montenegro and the name or the name and address of the importer or exporter of radioactive substances;
- 2) Name and address of the company, other legal entity or entrepreneur who made a package shipment;
- 3) the name and address of the manufacturer of radioactive substances;
- 4) Name the type and technical name of the radioactive substances;
- 5) the volume of the source and method of measurement of radioactive substances (total and individual activities);
- 6) an indication of transportation assets (aircraft, rail, ship, road vehicle);
- 7) itinerary of the means of transport of radioactive materials in place of surrender to the place of its use;
- 8) the name of the input and output of the border crossing, if the transfer is done across the border of Montenegro;
- 9) the name, or name and address of the recipient;
- 10) the date or approximate time of initiation of transport.

An application referred to in paragraph 1 of this Article the sender is required to submit:

- 1) copy of the approval for the production, sale and use of radioactive materials to be transported;
- 2) certificate of containers of radioactive materials;
- 3) instruction on the special security measures during transportation of radioactive materials;
- 4) List of special protective equipment.

Transportation to the accompanying persons

Article 63

Radioactive substances in the event of an accident or incident can lead to contamination or environmental radiation transport is accompanied by a person trained to handle these matters.

Dissipation or disappearance of radioactive materials

Article 64

In the case of radioactive waste materials, the carrier is obliged to visibly mark the place where there was waste and that, until the arrival of professional persons, prevent access to people and animals that place.

If during the transport comes to waste, or loss of radioactive materials, the carrier is obliged to immediately inform the Ministry, the administrative body in charge of the police and, if possible, and the ministry in charge of health.

IV SPECIAL SECURITY MEASURES FOR THE TRANSPORT OF DANGEROUS GOODS, BY ROAD BRANCHES

1st Cloths

Implementation of security measures prescribed by law and international treaty

Article 65

During the transport of dangerous goods in road traffic are applied, in addition to security measures for the transport of hazardous materials regulated by this Law, the provisions of the European agreement on international carriage of dangerous goods in road transport - ADR.

Ban on transport of other persons

Article 66

The vehicle that transports dangerous goods must not be located by other persons except the driver, passenger and companion.

Vocational training of persons referred to in paragraph 1 of this article, which govern transport vehicle carrying dangerous goods and hazardous materials handlers make companies and other legal entities that meet the requirements regarding space, equipment and personnel and that the conduct of those operations have permission.

Approval by the Ministry in accordance with the Ministry in charge of Transport and Maritime Affairs, at the request of a company or other legal entity, when it determines that the conditions referred to in paragraph 2 of this Article.

The conditions referred to in paragraph 2 of this article, as well as the manner of determining the fulfillment of conditions prescribed by the Ministry in close cooperation with the Ministry in charge of Transport and Maritime Affairs.

The obligation of the presence of co-driver

Article 67

The vehicle that transports dangerous substances, in addition to the driver, must have a passenger in the cases provided for by the European agreement on international carriage of dangerous goods in road transport - ADR.

Prohibition of possession of substances that can cause a fire, the prohibition of carrying out repairs and a ban on smoking

Article 68

The vehicle that transports hazardous materials shall not be held substances that can cause a fire.

The vehicle loaded dangerous goods must not be carried out repairs that may, due to spark or shock, to cause a fire or explosion, or damage the packaging.

The cab cars that transport hazardous materials class 1a, 1b, 1c, 2, 3, 4.1, 4.2, 4.3, 5.1 and 5.2 Smoking is not allowed.

Caution when driving in

Article 69

The driver of the vehicle that transports hazardous materials is required to drive a car with a special precaution.

Speed of the vehicle that transports dangerous goods must not exceed 80% of the maximum speed determined by the type of road, and certain traffic signs placed on the road, and in any case must not be greater than 70 km per hour, and the Poisons of 60 km per hour.

Removal of vehicles

Article 70

From the time of receipt until delivery hazardous goods, the driver of the vehicle must not be away from the vehicle carrying dangerous goods.

Notwithstanding paragraph 1 of this Article, the driver of the vehicle can be removed from the vehicle carrying dangerous goods only if the vehicle left under the supervision of passenger or companion, or if the vehicle is parked in a controlled and equipped space for parking.

Terms of paragraphs. 1 and 2 of this Article shall not apply to vehicles carrying dangerous goods for which the European agreement on international carriage of dangerous goods in road transport - ADR does not have specific requirements in terms of parking.

Notice of accident or accident

Article 71

Any accident or accident that occurs during the transport of dangerous goods, whose impact driver, passenger and escort vehicle may not have to remove or why they can not continue driving, one is obliged to immediately inform the Ministry and the administrative authority for duties of the police.

If a motor vehicle with hazardous materials who has suffered an accident or crash is just the driver, who found the person in the place of accident or incident or person who first encounters this place is obliged to request the driver to inform the Ministry and the administrative authority for duties of the police.

Certain types of transport vehicles

Article 72

Dangerous goods can be transported by motor vehicles and dial-up specially designed for the transport of certain hazardous substances or vehicles that meet the conditions prescribed by this

Law and the European agreement on international carriage of dangerous goods in road transport - ADR.

The internal road transport dangerous goods can be transported by vehicles and vans whose space for loading the goods away from the area permanently fixed passenger compartment.

Exception to par. 1 and 2 of this article, transfer, delivery or delivery day, and during good visibility, smaller quantities of hazardous substances defined by the European agreement on international carriage of dangerous goods in road transport - ADR, other than radioactive, it can be done and passenger car, van, tractor trailer or other vehicle.

Radioactive materials can be transported and transport referred to in paragraph 3 of this Article, if it is approved by the Ministry in charge of health.

Quantities of hazardous substances that can be transported vehicles referred to in paragraph 3 of this article, provides Ministry.

Device for razelektrisanje, galvanic connection, the device for drainage of static electricity and switch off all electrical circular flow

Article 73

Vehicles for the transport of hazardous materials, flammable gases or flammable liquids with flash point below 55 o C should have the device for razelektrisanje - drain static electricity that before loading or unloading of dangerous goods should be attached to the ground.

Vehicles for the transport of dangerous goods classes from 1 to 5.2 should be galvanically connected to jednopotencijalnu whole. Galvanic connections and devices razelektrisanje should check before loading or unloading.

Vehicles for the transport of dangerous goods classes from 1 to 2.5 to fit the device to discharge static electricity on the driveway with two plates for priklop ground on back of the vehicle (left, right).

Vehicles for the transport of dangerous goods should be equipped with the appropriate switch to turn off all electrical circular flow (direct priklopljen can only be a tachograph). Using a switch for vehicles for which it requires a European agreement on international carriage of dangerous goods in road transport - ADR, should be the two places, and for all other vehicles with one or two places.

Signs marking vehicle

Article 74

A vehicle carrying hazardous materials must have two characters for marking vehicles carrying hazardous materials.

If a hazardous substance that is transported from the list of B5 of the European Agreement Concerning the International Carriage of dangerous goods in road transport - ADR, on signs to indicate vehicles that transport hazardous materials must be printed identification numbers of dangerous goods being transported.

Signs to indicate vehicles that transport hazardous materials, identification numbers of certain hazardous substances, as well as places to post signs on the vehicle must be carried out in

accordance with the provisions of the European Agreement Concerning the International Carriage of dangerous goods in road transport - ADR.

The provisions of par. 1, 2 and 3 this Article shall be applied when the vehicle transporting untreated empty vessels in which there were hazardous materials.

Flag to indicate vehicle

Article 75

If the dangerous goods transport vehicles in Article 72, paragraph 3 of this Law, for sign marking vehicles carrying hazardous materials can be used flags of the same shape, size and color, that the means of transportation must be highlighted in a prominent place.

Warning symbols to indicate the vehicle

Article 76

Motor and trailers that transport radioactive materials must have, for the sign to indicate that vehicles transporting hazardous materials, three warning symbol to indicate that vehicles transporting radioactive materials.

Warning symbols to indicate vehicles that transport radioactive materials are placed on the sides and back of the motor and connecting the vehicle.

Vehicle Equipment

Article 77

Motor vehicle which transports hazardous materials must, in addition to the equipment provided for the general regulations on safety of traffic on the roads and the European agreement on international transport of dangerous goods in road transport - ADR, also have the following equipment:

- 1) driving tool and jack the vehicle;
- 2) at least two fire extinguishers, one of which is to extinguish fires in the engine and the other for extinguishing fires in cargo vehicles, and that such a charge, which, considering the amount and other characteristics of hazardous materials, provides an effective fire-fighting;
- 3) two hand-battery electric lamps (lamps) with flashing or constant light orange color, which can be seen from a distance of at least 150 m;
- 4) The two characters which means the vehicle is stopped on the roads;
- 5) two flags to indicate vehicles that transport hazardous materials;
- 6) two spades and a hack;
- 7) transmission lamp that can be included on the vehicle battery and is made so that it can cause an explosion or fire.

In addition to the equipment referred to in paragraph 1, items. 1 to 4 and items. 6 and 7 of this article, a vehicle that is transporting radioactive materials must have:

- 1) device for the control of radiation and means for protection and marking the field;
- 2) two flags to indicate that vehicles transporting radioactive materials.

Special warning device for air pressure loss

Article 78

If the dangerous goods transport vehicle terminal where any axle has single wheels, trailers must have a special device, using an audio or luminous signal, alerts the driver if it starts to decrease air pressure in pneumatics more than 20% on any wheel connecting vehicles.

Trailers carrying hazardous materials, if not supplied automatically brakes when otkačivanja inhibit the towing vehicle, must be connected to a tow vehicle and supplied with chains.

Ways to movement, stopping and parking, measures in case of stopping and setting up warning signs

Article 79

A vehicle carrying dangerous goods can move only roads that are designated for the movement of such vehicles.

Vehicles carrying dangerous goods may be stopped and parked only in places that are for that type of vehicle is determined and marked.

Ministry in charge of Transport and Maritime Affairs, in cooperation with the authority of state administration in charge of issuing permits for certain hazardous materials transportation routes determined under paragraph 1 of this article, and parking places referred to in paragraph 2 of this Article.

A driver who is due to a malfunction of the vehicle, traffic accident, loading or unloading, or other reasonable reasons forced the vehicle to stop the dangerous substance by road or parking lot in the settlement, the obligation to take all measures to halt the vehicle does not endanger other vehicles and especially to warn road users:

- 1) day and night - setting behind the stopped vehicle, two characters which means the vehicle is stopped on the roads;
- 2) at night and during reduced visibility due to unfavorable atmospheric conditions or other - placing lights in Article 77, paragraph 1, point 3 of this Law;
- 3) addressing passenger or companion item to a distance of 100 feet to 150 feet behind the stopped vehicle, during the day - flag to indicate that vehicles transporting hazardous materials, and at night and in poor visibility conditions - lights warn drivers who encounter the one side of the road vehicle is stopped to stop the vehicle on time or reduce speed and be prepared to safely bypass stopped vehicles.

Signs and lights in paragraph 3, items. 1 and 2 of this article are placed at a distance of at least 50 feet from the vehicle and to be visible from a distance of at least 150 m for drivers of motor vehicles face the same side of the road where the vehicle is stopped.

Adoption of sub-regulation

Article 80

Mode of transport of dangerous goods in road traffic regulations shall be regulated by the Ministry in cooperation with the Ministry in charge of Transport and Maritime Affairs.

2nd Transport in the railway traffic

Implementation of security measures

Article 81

During the transport of dangerous goods on railway transport are applied, in addition to security measures for the transport of hazardous materials regulated by this Law, the provisions of the Regulations concerning the International Carriage of Dangerous Goods By Rail - RID.

The ban in railway transport vehicles in which passengers are

Article 82

Dangerous goods must not be transported in railway rolling stock that are passengers.

Providing storage of dangerous goods

Article 83

Companies that do business in the field of railway transportation traffic required to provide storage of hazardous substances transported from the time of receipt until the moment of delivery of goods.

Railway vehicle maneuvering

Article 84

Railway rolling stock loaded with hazardous materials can maneuver only if they have taken appropriate security measures.

Companies that do business in the field of railway transport traffic regulated by a single security measure during the maneuver railway rolling stock referred to in paragraph 1 of this Article.

Inclusion in the trains and making rules about how to transport

Article 85

Railway rolling stock and cisterns loaded with hazardous materials uvršćuju the trains under the conditions and in the manner determined by unique rules that make companies conducting business of rail transport.

Mode of transport of dangerous goods in rail traffic shall be regulated by regulation issued by the Ministry in charge of Transport and Maritime Affairs, in cooperation with the Ministry.

3rd Transport on inland waterways

Implementation of security measures and adoption of regulations on how to transport

Article 86

During the transport of dangerous goods on inland waterways, in addition to security measures prescribed by this Law, in accordance with applicable rules and regulations of the European provisions on the international carriage of dangerous cargo on inland waterways - and.

Method of carrying out the transport of dangerous goods on inland waterways shall be specified by regulation issued by the Ministry in charge of Transport and Maritime Affairs, in cooperation with the Ministry.

Technical regulations on the ability of ships to transport dangerous goods on inland waterways prescribed by the ministry in charge of Transport and Maritime Affairs.

Transport of cargo ships and tankers

Article 87

Inland waterway dangerous goods can be transported by cargo ships or tankers that are intended to do so.

Notwithstanding the provisions of paragraph 1 above, hazardous materials can be transported and passenger ships, if these materials are located in a space separate from passengers.

Dangerous goods can be transported from one coast to another coast and scaffolding, only during the transport of dangerous goods on Skela no passengers.

Delivery and distribution for households

Article 88

Smaller quantities of dangerous goods for households or work sites may deliver and delivery of the boats and floating devices.

Loading, unloading of the ship or tanker, ventilation and prohibitions

Article 89

During the loading of dangerous goods on a ship or tanker or unloading from the ship or tanker and during the cleaning and airing of the ship or tanker carrying dangerous substances are prohibited from smoking and use of fire and other agents that can cause arcing, fire or explosion.

For tankers which transport explosive or flammable materials is prohibited, without room for the accommodation of persons, smoking and use of fire and other agents that can cause arcing, fire or explosion, and during loading and unloading of materials and during the cleaning of tankers are prohibited these actions in the premises for the accommodation of persons on tanker.

Specially built tankers for the transport of

Article 90

On the inland waterways can carry a flammable liquid tankers, which are specially constructed for the transport of liquids.

Notwithstanding paragraph 1 of this article, flammable liquids can be transported by cargo ships and, if the packaging material made of nelomljivog.

Suppressor and other vessels

Article 91

The provisions of article 89 of this law apply to the pusher and the other vessels that are suppressed in part, if there is to be located within at least one tanker.

Same transport ships

Article 92

If the dangerous goods transport ships, the same part of the traffic on inland waterways, and partly in maritime traffic, apply to regulations that apply to the transport of dangerous goods in maritime transport.

Wintering in zimovnicima

Article 93

Ships loaded with hazardous materials can zimuju in zimovnicima only if they can implement all security measures required for storage and storage of hazardous substances, in accordance with the law

4th Transport maritime traffic

Implementation of security measures

Article 94

During the transport of dangerous goods by sea vessels shall apply, in addition to security measures for the transport of hazardous materials regulated by this Law, the provisions of the International Convention for the protection of human life at sea - SOLAS 1974, the International Dangerous Goods Code - IMDG Code, International Code for construction and equipment of ships that transporting liquefied gases in Liquid state - IGC Code 1975, International Convention on the prevention of sea pollution from ships with the Protocol - MARPOL 73/78, the International Code for the construction and equipping of vessels for the transport of hazardous chemicals in Liquid state in 1971 and 1983rd year - BC Code 1971 and 1983, and the International Code for the safe loading of ships for the transport of bulk cargo - BLU Code 1988th

The conditions for maritime transport passenger ships

Article 95

Maritime passenger ships may be carrying dangerous goods only if the true condition of Article 87, paragraph 2 of this law.

Implementation of this law

Article 96

The provisions of article 89 of this Law shall be applied in maritime transport.

Passing legislation

Article 97

Method of carrying out the transport of dangerous goods in maritime transport shall be specified by regulation issued by the Ministry in charge of Transport and Maritime Affairs, in cooperation with the Ministry.

Technical regulations on the ability of ships to transport dangerous goods in maritime transport prescribed by the ministry in charge of Transport and Maritime Affairs.

5th Transportation in air traffic

Application of regulations

Article 98

During the transport of dangerous goods in air transport, the provisions of Annex 18 (secure transport of dangerous goods by air) to the Convention on International Civil Aviation (Chicago, 1944. Years), as well as technical instruction with the annex.

Transport Aircraft

Article 99

In air transport hazardous materials are transported by aircraft intended for the transport of cargo or aircraft which are specifically intended for the transport of dangerous goods.

Transport of dangerous goods for transport aircraft passengers may be carried out only in cases and under the conditions set forth in international agreements on the transport of dangerous goods in air transport.

Piroforične radioactive liquids must not be transported by aircraft.

Consignments of radioactive material

Article 100

If a passenger aircraft transporting radioactive substances, shipment to these materials are received at the airport of departure of aircraft.

The transfer of radioactive substances sender is required to determine the qualified person that will accept shipments with radioactive materials to the aircraft entering or after the presentation of the aircraft.

Loading or unloading of explosives

Article 101

During the loading of explosive materials in the aircraft or unloaded from the aircraft, the aircraft must not be full of fuel.

Inappropriate atmospheric conditions

Article 102

Shipping hazardous materials in the aircraft or unloaded from the aircraft can not be done during nepogodnih atmospheric conditions that could cause an explosion, fire, destruction or hazardous materials spill.

Prohibition of space heating

Article 103

While the aircraft are explosive or flammable materials, space in which they are located must not be heated.

Confirm the recipient's mail on professional person for the reception

Article 104

Shipments of dangerous materials can be received and the board in a foreign airport for aircraft flying to the domestic airport only if the sender has the recipient's mail box is provided to accept the shipment qualified person immediately after the landing of aircraft.

Approval for flight

Article 105

Aircraft that is only loaded hazardous materials can be across the territory of Montenegro, if it obtains the approval of an administrative authority in charge of civil aviation.

The approval referred to in paragraph 1 of this Article shall be issued in accordance with the Ministry, Ministry in charge of defense and ministry in charge of foreign affairs.

The request for approval under paragraph 1 of this Article, the carrier is obliged to indicate the type and quantity of hazardous materials, airport departure and airport landing aircraft.

Notification of carriage

Article 106

If the aircraft carrying dangerous goods, the carrier is obliged to inform in advance that an administrative body in charge of civil aviation.

Passing legislation

Article 107

Method of carrying out the transport of dangerous goods in air transport shall be specified by regulation issued by the Ministry in charge of Transport and Maritime Affairs, in cooperation with the Ministry.

6th The transfer of the postal traffic

Prohibition of placing items in pismoosne

Article 108

It is forbidden to make explosive, flammable and other hazardous substances in pismoosne shipping and postal packages.

7th Logs

The content and manner of keeping records

Article 109

State administration, under authority given by this law are obliged to keep records on the types of hazardous materials, their properties that pose a threat to life and health of people and material goods, measures to be taken to prevent or remove the danger and the Company, other legal individuals, businesses and individuals who can provide assistance in removing the danger incurred.

Way of keeping records of hazardous materials shall be specified by regulation by the Ministry.

V INSPEKCIJKI SUPERVISION

Performing the inspection control

Article 110

Inspection over the implementation of laws and regulations enacted under this law, in accordance with the law governing the inspection, carried out:

1st Ministry - in relation to the transport of dangerous goods Class 1a, 1b, 1c, 2, 3, 4.1, 4.2, 5.1, 5.2, 8 and 9 in road and railway traffic and the actions that are associated with the transport through the inspection of explosives, flammable materials and liquids and gases;

2nd Ministry in charge of the Ministry of Health - in relation to the transport of dangerous goods Class 6.1, 6.2. and 7 in road and railway traffic and the actions that are associated with the transport, through sanitary inspection and inspection for explosives, flammable materials and liquids and gases;

3rd Ministry in charge of Transport and Maritime Affairs, the Ministry and the Ministry in charge of health - in relation to the transport of dangerous goods on inland waterways and maritime transport and the actions that are associated with the transport through the inspection for safety of navigation, inspection of explosives, flammable materials and liquids and gases, and sanitary inspection in respect of carriage of dangerous goods Class 6.1, 6.2. and 7, and actions related to that transport;

4th The administrative charge of civil aviation ministry and the ministry in charge of health - in relation to the transport of dangerous goods by air traffic control and other actions in connection with the transport through the inspection of civil aviation, inspection of explosives, flammable substances and liquids and gases, and sanitary inspection in respect of carriage of dangerous goods Class 6.1, 6.2. and 7, and actions in connection with the transport.

Administrative measures and actions

Section 111

In addition to administrative measures and actions prescribed by law which regulate the

inspection, the inspector of explosives, flammable materials and liquids and gases, sanitary inspector, Maritime Safety Inspector and Inspector of Civil Aviation, under authority given by this Act, is authorized to:

- 1) prohibit further transport or handle hazardous materials to persons who are not professionally trained for transport and handling of hazardous materials;
- 2) temporary prohibition of specific actions related to transport (the preparation for transport, loading, reloading and unloading) hazardous substances if in terms of place or time to perform these actions have not fulfilled the prescribed conditions;
- 3) prohibit the company, other legal entity and entrepreneur - the carrier transport of hazardous materials if it determines that they are preparing for transportation or during transportation made mistakes in terms of taking security measures.

VI PENALTY PROVISIONS

Violation of the company, other legal entities and entrepreneurs

Article 112

Fine ranging from twenty to three hundred times the minimum wage in Montenegro shall be imposed on a company, legal entity or an entrepreneur:

- 1) the packaging in which carrying a dangerous substance does not match the prescribed conditions (Article 11 par. 1 to 4);
- 2) if the court in which the transport of dangerous substance or dangerous substance immersed in a liquid, or the court for the transport of dangerous goods solutions, or the court for the transport of hazardous materials in aircraft and their closures do not meet the prescribed conditions (Article 13);
- 3) if the court capacity greater than 200 gallons of hazardous liquid which transports the material is made of steel plate or other suitable material (Article 14 paragraph 1);
- 4) If the railway station in the port and the port or the airport is loading or unloading of dangerous substances out of the place determined by the competent authority under Article 19 of this Law (Article 19);
- 5) If the place where it is loading or unloading explosives or flammable hazardous substances to perform any of the acts provided for in Article 21, paragraph 1 items. 1, 2, 3, 4, 5 and 6;
- 6) If the place which is loading or unloading of explosives, flammable gases or dangerous goods not supplied appliances or other devices for extinguishing fires (Article 24);
- 7) if in a closed space which is loading or unloading of dangerous goods that develop gas or radioactive material does not set the device for measuring the concentration of gases in the air, or device for measuring radioactivity in the area, or does not perform regular inspection and calibration of the device (Article 25);
- 8) if hazardous materials are transported in vehicles that are not technically correct, or created, equipped and marked according to prescribed standards (Article 30);
- 9) If a dangerous substance before or received for carriage as baggage, except for appliances, devices and other similar items that contain minimal amounts of hazardous substances that do not pose a threat to the environment, and are for personal use (lighters, matches, varnishes, etc.) - (Article 31);
- 10) should immediately stop further transportation of dangerous goods is excluded from the transport or they do not inform the competent authority under Article 39, paragraph 1 of this Act

and the sender, as determined or otherwise becomes aware that carrying such a dangerous substance (Article 39, paragraph 1) ;

11) if the received notification of the suspension of transport hazardous materials, which is excluded from the transport does not take the matter or fails to take appropriate measures to make it more harmless (Article 39, paragraph 2);

12) If you do not stop on hazardous materials transportation and it does not inform the sender when in the course of transportation determines that the carrying a dangerous substance that does not meet the requirements for transportation or which is not declared as hazardous material or incorrectly declared (Article 40, paragraph 1);

13) If an explosive substance which is loading or unloading is done outside the circle of the company, other legal entities and businesses that produce these materials, or holding onto their regular activities or istovaruje out of place set by the competent authority under Article 41 of this Law (Article 41) ;

14) If transporting an explosive substance without the approval of the competent authority under Article 42 of this Law (Article 42);

15) should not take special security measures during transportation of certain explosive materials prescribed by the competent authority under Article 44 of this Law (Article 44, paragraph 1);

16) if the court in which the full kind of gas transports gas for which it is intended, and does not meet the requirement of Article 48 (Article 48);

17) if the court in which the transporting flammable liquid does not match the technical conditions laid down the type of flammable liquid (Article 51, paragraph 1);

18) if carrying flammable liquids in metal barrels or metal bottles that are not made according to established standards, or to foreign or international standard that meets the requirements of domestic standards (Article 51, paragraph 2);

19) if without the approval of the competent authority from Article 52, paragraph 1 of this Act, carrying poison across the state border or territory of Montenegro (import, export, transit) - (Article 52, paragraph 1);

20) should carry a poison, or radioactive substance in the same cargo space with food or animal food or medicines, or items of general use which is subject to medical supervision (Article 52 paragraph 4 and Article 59);

21) should carry a poison, or radioactive substance without the approval of the competent authority or in the transport of toxins and does not take the ordered special security measures (Articles 53, 54 paragraph 1 and Article 60);

22) if in the case of scattering of toxins, or radioactive substances do not obilježiti, the obvious way, the place where the waste originates or prevent access to the place of humans or animals until the arrival of professionally trained persons (Articles 56 and 64, paragraph 1);

23) if packaged or transported radioactive substance in a package that does not correspond to a particular type of radioactive matter, or if the dose of radiation on the surface of containers larger than permitted (Article 57);

24) if in preparation for transport or during the transport of radioactive materials, which is also toxic, explosive or flammable and does not take security measures required for each of these types of risks (Article 58);

25) should carry a larger amount of radioactive substances or ionizing radiation of the source whose activity was higher than the activities specified in the approval and to notify the competent authority from Article 61 of the Law on transport or the beginning of the notice does

not contain all required information (Article 61);

26) If the radioactive substance or source of ionizing radiation, which in case of accident or incident can lead to contamination or environmental radiation transport unaccompanied person professionally trained to handle the matter or source (Article 63);

27) if the dangerous goods transported by motor vehicle which does not meet the technical requirements for the transport of certain hazardous substances (article 73 par. 1 and 2);

28) If from the time of receipt until the moment of delivery does not provide care that transports hazardous materials (Article 83);

29) if the tanker carrying flammable liquid that is specially built for the transport of liquids or cargo ship when flammable liquids packed in brittle containers (Article 90);

30) if the transfer of radioactive materials not designated expert who will accept the shipment of radioactive substances from entering the aircraft to or after the presentation of the aircraft (Article 100, paragraph 2);

31) If during loading or unloading explosives from an aircraft full of aircraft fuel (Article 101);

For the offense referred to in paragraph 1 of this Article, a fine ranging from five to twenty times the minimum wage in Montenegro shall be the responsible person in legal entity.

Violation of the company, other legal entities and entrepreneurs

Article 113

Fine ranging from twenty to dvjestostrukog minimum wage in Montenegro shall be imposed on a company, legal entity or an entrepreneur:

1) the transport of dangerous matter in court, cisterns, tank or other type of packaging for the transport of dangerous goods that are not made according to prescribed standards for the particular class of dangerous goods, in the court of lomljivog resistant material or plastic that is placed in protective packaging and is not provided appropriate material to fill the empty space (Article 12);

2) if the courts of lomljivog material in which the liquid transporting dangerous goods packed together with a total mass exceeding 75 kg or courts of nelomljivog material in which the liquid transporting dangerous goods packed together, whose weight exceeds 150 kg (Article 14, paragraph 2);

3) if the place where the loading or istovaruju hazardous materials not supplied or prescribed devices or equipment in a prominent place is marked by an appropriate label danger (Article 18 paragraph 2);

4) If the device for loading or unloading of dangerous goods is not correct or drawn so as not to damage the packaging dangerous substances (Article 23);

5) If the place at which the loading or istovaruju hazardous substances does not control the accuracy of electrical equipment or installations, no organized physical security of these places or do not care about the safety of technical equipment and other means of extinguishing fires in these places (Article 26);

6) If a dangerous substance to give or receive transportation or transported by their own means of transport, a dangerous substance is prepared in accordance with the terms of its transport (Article 28);

7) If a dangerous substance that was dropped or spilled during transport does not collect or not to remove or put in for that specific place, or is otherwise not so harmless, or it does not inform the competent authority under Article 33 of this Law (Article 33);

- 8) If the carrier does not submit the document on the transport of hazardous materials or instruction on specific security measures that must be taken during the transport of dangerous goods (Article 34, paragraph 1);
 - 9) if immediately after the receipt of notices of suspension transport hazardous materials do not eliminate the deficiencies found or does not take a dangerous substance (Article 40, paragraph 2);
 - 10) If an explosive substance and means of its initiation in the same space transport vehicles (Article 46);
 - 11) if the vehicle carrying dangerous substances in case of no co-driver when it is anticipated the European agreement on international carriage of dangerous goods in road transport - ADR (Article 67);
 - 12) if the vehicle transporting a dangerous substance or dial-up vehicle which is specially designed for the transport of certain hazardous substances or a motor vehicle that does not correspond to the conditions prescribed by this Law and the European agreement on international carriage of dangerous goods in road transport - ADR (Article 72);
 - 13) If a ship loaded with hazardous materials kept in winter quarters, and are not carried out the prescribed security measures for storage and storage of dangerous goods (Article 93);
 - 14) if istovaruje onto or hazardous substances from the aircraft during nepogodnih atmospheric conditions (Article 102);
 - 15) If advance notice is not an administrative body in charge of civil aviation, when aircraft carrying dangerous substances (Article 106);
- For the offense referred to in paragraph 1 of this Article, a fine ranging from five to twenty times the minimum wage in Montenegro shall be the responsible person in legal entity.

Violation of the company, other legal entities and entrepreneurs

Article 114

Fine of ten to hundredfold minimum wage in Montenegro shall be imposed on a company, legal entity or an entrepreneur:

- 1) the bottles in which transport hazardous materials, except low-bottle with a diameter of 30 cm long in which to transport liquefied petroleum gas not packaged or does not put the pallets in a vertical position or with gas bottles packed in a horizontal position, and not provide them so that they can not roll or pomjerati or bottles packed in pallets in a vertical position does not provide that they can not tumble (Article 15);
- 2) if the packages in which a dangerous substance is transported in a prominent place marked by danger signs or markings brittle Court (Article 16);
- 3) if untreated empty vessels in which there were hazardous materials do not close and is not indicated in the same way as if they are full or if the transport means which transports the courts in which there were hazardous materials do not mark the same way as a means of transport carrying vessels filled with hazardous materials (Article 17);
- 4) If istovaruje onto or hazardous substances at night without electric lighting or electrical devices in the place of loading or space are not designed so that they can cause fire or explosion (Article 22 paragraph 2);
- 5) If in case of dangerous goods during transport do not take the necessary measures for its finding, and if on her disappearance and the threat represented by the dangerous substances do not inform the public and the competent authority under Article 32 of this Law (Article 32);

- 6) If the amount of missing explosives during transport immediately inform the competent authority under Article 47 of this Law (Article 47);
 - 7) if the gas transport vessels open transport vehicle and load not protected from atmospheric influence or if they are carrying a closed transport vehicle that is not stocked or ventilation device is not always possible airing, or if the staff does not provide adequate means of transportation equipment for personal protection (Article 50);
 - 8) if the motor vehicle transporting a dangerous substance which holds the substance that can cause a fire (Article 68, paragraph 1);
 - 9) If a motor vehicle which transports a dangerous substance or untreated empty vessels in which there were no signs of dangerous substances or devices provided for in Article 74 and 75 of this Law;
 - 10) If a vehicle transporting radioactive substance which is not marked with signs to indicate radioactive material or tags are not placed in the appropriate place (Article 76);
 - 11) If a vehicle transporting a dangerous substance that does not have the required equipment (Article 77);
 - 12) If trailers in which no matter which axle has single wheels carrying hazardous material has a special device that warns of the reduction of air pressure in pneumatics below 80% (Article 78, paragraph 1);
 - 13) If trailers that carry dangerous substance is not related to the towing vehicle and special chains when not supplied brakes automatically when otkačivanja inhibit the towing vehicle (Article 78, paragraph 2);
 - 14) if the maneuver railway rolling stock and loaded with hazardous materials without taking the prescribed security measures (Article 84, paragraph 1);
 - 15) should receive the package or board with a dangerous substance in the aircraft in a foreign airport and there is no confirmation of shipment to the recipient's acceptance of shipments is provided by specialist immediately after the landing of aircraft (Article 104);
- For the offense referred to in paragraph 1 of this Article, a fine ranging from five to ten times the minimum wage in Montenegro shall be the responsible person in legal entity.

Individual offense

Article 115

A fine amounting to three times to ten times the minimum wage in Montenegro shall be imposed on a person:

- 1) If the place at which the loading or istovaruju explosive substances or inflammable substances hazardous smokes or uses a means of ignition (matches, lighters) or shut down operation of the motor vehicles (Article 21);
- 2) If during loading or unloading of flammable liquids or gases not Ground transportation or during loading, unloading and reloading do not stop the operation of the motor vehicles that transport flammable liquid or flammable gas when he was obliged to do so (Article 27);
- 4) If a dangerous substance before the transport or private transport vehicles, a dangerous substance is prepared in accordance with the terms of its transport (Article 28);
- 5) If the baggage carried a dangerous substance or before the carriage as baggage, except for appliances, devices and other similar items that contain minimal amounts of hazardous materials that do not pose a threat to the environment, and are for personal use (lighters, matches, varnishes, etc.) - (Article 31);

- 6) If in case of dangerous goods during transport does not take measures to find and if its about her disappearance does not inform the competent authority under Article 32 of this Law (Article 32);
 - 7) if ispalu or hazardous substance spill during transport does not pick up or removed, or placed at the specified location or is otherwise not make it harmless or does not inform the competent authority from Article 33, paragraph 1 of this Law (Article 33);
 - 8) If a person who manages the transport vehicle carrying dangerous substances do not possess a document on the transport of dangerous goods, vehicle safety certificate, certificate of professional competence for the management of such vehicle or instruction on specific security measures (Article 36, paragraph 2);
 - 9) If a person who manages the transport vehicle carrying dangerous substances, the document of carriage of the matter with his signature does not confirm receipt of declared dangerous goods for transport (Article 38);
 - 10) if the person who manages the transport medium immediately suspend the further transportation of hazardous materials transportation is excluded from or about the police and failing to inform the sender as soon as determined, or otherwise becomes aware that such transports hazardous materials (Article 39, paragraph 1);
 - 11) if the person who manages the transport vehicle does not stop on hazardous materials transportation or they do not inform the sender in cases when it determines that grounds exist for suspension of the transportation provided for in Article 40, paragraph 1 of this Act;
 - 12) If an explosive substance and means of its initiation in the same space transport vehicles or transporting an explosive substance in the driver's cab or space vehicles in which the transport of persons (Article 46 par. 1 and 3);
 - 13) if the amount of missing explosives during transport immediately inform the competent authority under Article 47 of this Law (Article 47);
 - 14) if the rasutoj radioaktivnoj or missing during the transportation of matter immediately inform the competent authority under Article 64 paragraph 2 of this Law (Article 64, paragraph 2);
 - 15) if the vehicle that transports hazardous materials keeps substances that can cause fires or repair a vehicle loaded hazardous materials or smoke in the cabin of vehicles carrying dangerous goods class 1a, 1b, 1c, 2, 3, 4.1, 4.2, 4.3, 5.1 . and 5.2. (Article 68);
 - 17) if the driver of the vehicle away from the vehicle carrying dangerous goods and the vehicle left unattended passenger or companion (Article 70);
 - 18) If a driver operates a motor vehicle loaded with hazardous materials that are not marked with signs to indicate that vehicles transporting hazardous materials or on those signs are not printed the appropriate identification numbers or marks on the vehicle you have not taken out and placed in the manner provided for the European Agreement Concerning the International Carriage dangerous goods in road transport - ADR (Article 74 par. 1 to 3);
- For the offense referred to in paragraph 1 of this Article, an individual may be imposed and a fine on the spot, to three times the minimum wage in the Republic.

VII TRANSITIONAL AND FINAL PROVISIONS

The deadline for adoption of regulations

Article 116

By-laws for implementation of this law shall be passed within one year from the date of entry

into force of this Law.

Termination of the previous law

Article 117

On the day of entry into force of this Law to the Law on transport of dangerous goods (Official Gazette of SFRY "no. 27/90, 45/90 and""Official Gazette of the FRY, No. 68/02).

Entry into force

Article 118

This law shall come into force on the eighth day following its publication in the Official Gazette of the Republic of Montenegro. "

SU-SK No. 01-788/7

Podgorica, 26 December 2007

The Parliament of Montenegro

President,

Ranko Krivokapic, mp

O B R A Z O Z L E N J E

AND CONSTITUTIONAL BASIS FOR MAKING THE LAW

Constitutional basis for the adoption of the Law on transport of dangerous goods contained in the provisions of Article 16, paragraph 1, item 5 of the Constitution of Montenegro, which provides that the Law regulates the issues of interest for Montenegro.

II REASONS FOR MAKING THE LAW

The Law on transport of dangerous goods shall ensure the legal presumption that Montenegro, established legislation in the field of transportation of dangerous goods, as the first in a series of laws that regulate the area of hazardous materials, explosives or flammable liquids and gases as well as sales of explosive materials.

Transport of dangerous goods is part of the overall transportation system, a special transport of dangerous goods is more disciplinary, which makes this area so should be accessible.

In the carriage of dangerous goods is an important factor in understanding the properties of hazardous materials, packaging methods, methods of transport, equipment transport vehicles for dangerous goods, handling of accidents with dangerous substances, sanction consequences of an accident, including environmental disasters, as well as educating people to prepare and transport of dangerous matter.

Hazardous substances are those substances that may endanger human health, harm the

environment or inflict damage, which are hazardous properties for human health and the environment, such as that provided by law, other regulations and international agreements, which by virtue of their nature or properties and conditions in connection with transportation can be dangerous to public security or order or who have proven toxic, corrosive, irritant, flammable, explosive or radioactive effects. Considered hazardous materials and raw materials from which to produce hazardous materials and wastes if they have the properties of hazardous substances. Hazardous substances are indispensable raw material in industry and energy, causing an indivisible part of everyday life and therefore must be subject to regulation, this, a special law which will regulate all aspects of their packaging, loading, transportation, protection, and training responsible in this cycle, and finally monitoring and repression against the violators and sanction violations with the determination of sanctions.

The existing law on the transport of hazardous materials through the application of a longer practice proved to be comprehensive and all its decision clear and effective and as such is incorporated in the national zakonadvstva most states in neighboring Montenegro. For these reasons, and its consistent compliance with EU regulations, the Draft Law on the carriage of dangerous goods in the bit reserved existing solutions that are adapted to and harmonized with the legislative framework and system of organization of state authorities of Montenegro, in particular the organization of state administration system in relation to the area hazardous substances.

III APPROVAL with European legislation and ratified international conventions

The law establishes a harmonization of legislation related to the transport of dangerous goods with the European agreement on international transport of dangerous goods in road transport (European Agreement concerning the International Carriage of Dangerous Goods by Road ADR, from 30 September 1957), the Convention on international railway transport (Convention concerning International Carriage by Rail-COTIF) of 9 April 1980th The European Agreement Concerning the International Carriage of Dangerous Goods Inland Waterways (European Agreement Concerning the International Carriage of Goods by inland Dangerous Waterways-AND), the Convention on International Civil Aviation of 7 December 1944 (Convention on International Civil Aviation of 7 December 1944) and the Vienna Convention on civil liability for nuclear damage from 21 April 1963rd year.

Agreed the text of the law, to the greatest extent possible, and with the Commission Directive of 06th August 2001. The obligation of harmonization of laws, regulations and administrativnih documents relating to the classification, packaging and labeling of hazardous materials resulting from the Council Directive of 27 June 67/548/UEEZ 1967th The Commission Directive 84/449/EEC of 25 April 1984. The adaptation of technical progress for the sixth time, with Council Directive 67/548/EEC on the harmonization of legislation, regulations and administrative acts relating to the classification, packaging and labeling of dangerous substances, Commission Directive 93/67/EEC of 20 July 1993. year, which provides principles for the implementation of risk to humans and the environment of substances notified in accordance with Council Directive 67/548/EEC, Commission Directive 93/72/EEC of 1 September 1993. the year is adjusted by nineteenth time Council Directive 67/548/EEC on the technical progress on the basis of harmonization of laws, regulations and administrativnih aka relating to the

classification, packaging and labeling of dangerous substances, Directive 94/55/ESZ Council of 21 November 1994 . The harmonization of legislation of Member States in relation to the transport of dangerous goods in road transport, Directive of the European Parliament and Council 99/45/EC of 31 May 1999 on the harmonization of laws, regulations and administrative laws of the Member States relating to the classification, packaging and labeling hazardous substances, Commission Directive 2000/21/EC of 25 April 2000. was related to the list of Community law to which leads the fifth line of paragraph 1 of Article 13 of Council Directive 67/548/EEC (Text is applied to the EEA - European Economic Area), 2003/635/UEZ Commission Decision of 20 August 2003. year, which is in accordance with Directive member states authorizing 94/55/EZ to their specific variations related to the transport of dangerous goods in road traffic, (The text is applied to the EEA - European Economic Area), Commission Decision of 4 2005/263/EZ March 2005. year, which is in accordance with Directive member states authorizing 94/55/EZ to their specific variations related to the transport of dangerous goods in road traffic and the Commission Decision of 26 June 2007. in which, for the second time, amended 2005/263/EZ decision which, in accordance with Directive member states authorizing 94/55/EZ to certain exceptions related to the transport of dangerous goods in road traffic.

IV EXPLANATION OF BASIC LEGAL INSTITUTE

Text of the Bill is systematic in 7 units, namely:

1st General provisions (Articles 1 to 10 of the Bill) - Case law is the regulation of the conditions under which to perform transportation of hazardous materials and activities that are associated with this transport (preparation of materials for transport, loading and unloading and incidental manipulation), as well as supervision The implementation of this law.

Hazardous substances, in accordance with this Law are:

Class 1a - Explosive substances;

Class 1b - Cases filled with explosive materials;

Class 1C - Funds for the ignition, vatrometni objects and other objects;

Class 2 - solid gases, gas converted to liquid and gases dissolved under pressure;

Class 3 - Flammable liquids;

Class 4.1 - Flammable solids;

Class 4.2 - substances tend Self-igniting;

Class 4.3 - substances that in contact with water develop flammable gases;

Class 5.1 - Oksidirajuće matter;

Class 5.2 - Organic peroxides;

Class 6.1 - Poisons;

Class 6.2 - nasty and infectious substances;

Class 7 - Radioactive substances;

Class 8 - Corrosive (corrosive) materials;

Class 9 - Miscellaneous dangerous substances.

Are given special definitions of certain types of hazardous substances and certain dangerous substances to be considered and raw materials from which to produce hazardous materials and waste - if you have the characteristics of these materials. These provisions, moreover, arranged as preventive and protective measures to ensure protection of life and health, environment or

material goods, security and transport, as well as preventive and protective measures to prevent such dangers. Newly discovered hazardous materials can be transported if they meet conditions that were previously established as a scientific examination of the conditions that provide full security during their transport. Hazardous materials can only be handled by adults who are professionally trained to do so. Dangerous goods can be transported only by persons to handle and transport dangerous goods professionally trained and who have reached 21 years of age. Persons who are not professionally trained deal with these matters under the direction and supervision of professionally trained people for their handling. Control measures and conditions prescribed by the transport of dangerous goods made companies and other legal entities that carry hazardous materials and perform actions in connection with this transport. In terms of common packaging, bans the common Payload in the same transportation vehicle, or the same space for the accommodation of cargo and ramp of the transport of dangerous goods shall be applied in all branches of the internal traffic relevant provisions of international treaties relating to the transport of dangerous goods in certain transport sectors. The owner is obliged to ensure that hazardous substance due to the death, injury to body or health, damage or destruction of items, or environmental pollution during transportation, except in the case of small quantities of hazardous substances. The provisions of the Act does not apply to the transport of dangerous goods transport vehicles of the Army of Montenegro, the fuel in the tank vehicles, or other dangerous substances that are used to drive vehicles that have been placed in the specific courts, which make the unit with means of transport.

2nd Common security measures for all dangerous substances or for certain types of goods (Articles 11 to 40 of the Bill) is regulated by their packaging, which must meet the requirements for packaging and packaging its production in accordance with the prescribed standards for transportation of the courts and their mass, bottles and packages in which they carry hazardous materials and conditions for blank and untreated vessels.

Loading and unloading of dangerous goods is carried out only in certain places, especially where you do not endanger human life and health, environment or material goods, and traffic safety. The place must be stocked and prescribed equipment and devices in a prominent place marked by an appropriate sign of danger. Special places for loading and unloading are determined by the railway stations, ports and harbors and airports and such places is prohibited access to unauthorized persons. The following locations are prohibited from holding materials and devices that can cause a fire or facilitate its spread, holding an open flame or open flame work (welding, etc.), Smoking and use of funds for the ignition (matches, lighters), use of equipment or resources with firing furnace, working with the tool or device that sparks setting overhead electric lines, regardless of the voltage and operation of motor vehicles.

The law further regulated during loading and unloading of hazardous materials, safety devices set forth the obligations, the obligation to supply the place of fire extinguishing devices and when it is indoors, it must be equipped at least one device for measuring the concentration of gases in the air.

Subjects who perform loading and unloading of hazardous substances in particular have a duty to control the accuracy of the device and the electrical installations in places where it is loading or unloading of dangerous substances, organized physical security of these sites and ensure the safety of technical equipment and other means of extinguishing fires in these places.

Cisterns and other vehicles for flammable liquids, flammable gas, as well as vehicles that transport hazardous materials must be grounded.

Companies, other legal persons, entrepreneurs and individuals are obliged to prepare such a dangerous substance that meets all the requirements for its transportation and it must not give or receive the transfer if these conditions are not met.

Import of hazardous waste materials of foreign origin to temporary or permanent disposal in the territory of Montenegro is prohibited.

Companies, other legal persons, entrepreneurs and individuals are obliged to take the necessary measures to find missing dangerous substances and to the danger presented by hazardous substances and inform the authorities if necessary, and the public. Fire or in any way during transportation of hazardous materials spills, the carrier is obliged to provide, collect and remove or put in for that specific places.

Sender that provides the transport of hazardous substance is required for each shipment of hazardous materials found on the transport document and guidance on specific security measures that the transport of dangerous goods have to be taken and delivered to the carrier. Document on the transport of hazardous materials, whose content is precisely defined, always follow instructions on the special security measures during the transport. The carrier and the person who manages the transport vehicle carrying dangerous substances are required to document the transport of his signature confirmation receipt of declared hazardous materials. Transport of dangerous goods transport which is forbidden will always be dismissed by the competent public administration bodies established by this Law and shall take appropriate measures are not endangering human health, environment and property. They shall by competent authority, or carrier, notify the sender and the sender is obliged to immediately received notification of the suspension of transportation to eliminate defects found or take a dangerous substance.

3rd Special security measures for the transport of certain types of dangerous goods (Articles 41 and 64 of the Bill), set for explosive materials, gases, flammable liquids, poisons and radioactive materials, are the authorities responsible for issuing permits for the transport of these materials, content and application Conditions for issuing a permit, as well as special security measures for certain types of goods.

Loading and unloading of explosives outside the circle of companies, other legal entities that produce these materials, or keep for your regular work can be done only in places designated by the competent authority - the Ministry in charge of internal affairs and issues a permit to transport explosives except for the Army and the military security, you do not need permission to transport. The law specifies the contents of requests for approval specified. Ministry responsible for internal affairs may, if necessary, order taking and special security measures during the transport of certain explosive materials (direction of movement of the sender or carrier escort, escort policijei etc.). If the agreed import or export of large quantities of explosive materials which can not carry across the border of Montenegro with a single means of transport or simultaneously with multiple means of transportation, transportation permit can be issued for the entire amount of explosives. In domestic traffic transport explosive materials in one approval, shall be saved.

In this case, the entire amount of transportation of explosive materials must be made through the same border crossing, and within that can not be longer than three months. Explosive materials and resources for their initiation must not be transported together in the same area and provided the means of transport are the exceptions to the transfer case filled with explosive materials in which the means of ignition installed in the production and transport of explosives common in certain cases.

Companies, other legal persons, entrepreneurs and individuals that carry explosive materials shall the amount of any missing materials during transport immediately inform the Ministry in charge of internal affairs and administrative body in charge of the police.

In this segment, precisely regulated and issues relating to the vessels for the transport of gas, their repletion valves, means of transport vessels and equipment for personal protection vessels for the transport-application of national standards.

As for poisons, provided that the transport of toxins across the state border or territory of Montenegro (import, export and transit) requires approval by the Ministry in charge of health in cooperation with the Ministry responsible for internal affairs. Exceptionally, small amounts of poison intended for laboratory and scientific purposes can be transported across the state border or territory of Montenegro without permission. Poisons should not be transported in the same cargo space with food, animal food, medicine and general use items subject to health surveillance. Approval for the transport of toxins into domestic service also issued charge of the Ministry of Health in accordance with the department responsible for internal affairs. Approval is not necessary if the transport is poison for the Army and the military security.

Ministry in charge of health may, if necessary, to order the special security measures during the transport of certain toxins. During transport, the carrier is obliged to visibly mark the place where the waste originated poison, to immediately inform the Ministry in charge of Health, Ministry in charge of internal affairs and administrative body in charge of police and that until the arrival of an authorized person in charge prevent access to people and animals that place.

When it comes to radioactive substances, the conditions which must meet their packaging and if it is radioactive and toxic substances at the same time, explosive or flammable, during the preparation of such radioactive materials to transport and during transport must be taken security measures required for each of the possible types of danger. For the transport of radioactive materials require the approval issued by the ministry responsible for health affairs, in agreement with the Ministry responsible for internal affairs. Moderated has also taken special security measures during the transport of certain radioactive substances. Approval is not needed when the transportation is for the Army and the military provision.

Company, other legal entity and entrepreneur whose work related to the use of radioactive materials may be granted approval for the reusable transport of these agents with a duration of up to six months.

Company, legal entity and the contractor are responsible for at least 24 hours prior to the transport of radioactive materials, the ministry in charge of Health and Ministry responsible for internal affairs, to submit formal notification to certain content. Request for approval for the transport of radioactive material submitted to the sender of radioactive substances, and its contents was also precisely determined. If during the transport comes to waste or radioactive materials are gone, the carrier is obliged to immediately inform the Ministry in charge of internal affairs ministry in charge of health and administrative body in charge of the police.

4th Special security measures for the transport of dangerous goods by branches of service (Art. 65 to 109) are determined by the transport of goods in road traffic, railway traffic and transport on inland waterways, maritime, air and postal traffic.

During the transport of dangerous goods in road traffic are applied, in addition to security measures for the transport of hazardous materials regulated by this law and provisions of the European Agreement Concerning the International Carriage of dangerous goods in road transport - ADR. The vehicle that transports dangerous goods must not be located by other persons except

the driver, passenger and companion. In addition to the driver, must have a passenger in the cases provided for by the European agreement. The car must not keep substances that may cause fire and the vehicle must not carry out repairs that may, due to spark or shock, to cause a fire or explosion, or damage the packaging. The cab cars that transport hazardous materials class 1a, 1b, 1c, 2, 3, 4.1, 4.2, 4.3, 5.1 and 5.2 Smoking is not allowed. Speed of the vehicle must not exceed 80% of the maximum speed determined by the type of road, and certain traffic signs placed on the road, and in any case must not be greater than 70 km per hour, and Poisons - 60 km per hour. From the time of receipt until delivery hazardous goods, the driver must not be away from the vehicle carrying dangerous goods. Notwithstanding, the driver must be removed from the vehicle, if the vehicle left under the supervision of passenger or companion, or if the vehicle is parked in a controlled and equipped with adequate space for parking.

Any accident or incident that occurs during the transport of hazardous substances, whose effects crew vehicle alone can not eliminate or why can not continue driving, one of the crew is obliged to immediately inform the Ministry in charge of internal affairs and the administrative authority charge of the police. If a vehicle with hazardous materials who has suffered an accident or crash is just the driver, who found the person in the place of accident or incident or person who first encounters this place is obliged to request the driver to inform the ministry in charge of internal affairs and administrative body in charge of the police.

Dangerous goods can be transported by motor vehicles and dial-up specially designed for the transport of certain hazardous substances or vehicles that meet the conditions prescribed by this Law and the European agreement on international carriage of dangerous goods in road traffic.

The internal road transport hazardous materials, can be transported by van and vehicles which is an area for loading the goods away from the area permanently fixed passenger compartment.

Exception to the strict conditions stipulated for the transfer, delivery, or delivery of dangerous goods during the day, during good visibility, a small amount of hazardous substances defined by the European Agreement, other than radioactive, can be transported and passenger car, tractor trailers, cargo tricycle with motorcycle or without engine, manual wheelchair or otherwise.

The law precisely defines the conditions that are related to the device for razelektrisanje, galvanic connection, the device to drain static electricity, switch off all electrical circular flows in relation to certain types of hazardous substances, flags to mark vehicles, vehicle marking signs, symbols as a warning and a special device alert for falling air pressure. In addition to the equipment provided for the general regulations and the European agreement, the vehicle must have the driving tool and jack for a vehicle, at least two fire extinguishers, one of which is to extinguish fires in the engine and the other for extinguishing fires in cargo vehicles, and that such charges that, given the quantity and other characteristics of hazardous materials, enabling efficient fire-fighting, two handheld battery electric lamps (lamps) with flashing or constant light orange color, which can be seen from a distance of at least 150 m, two characters which means a motor vehicle stopped on the roads, the two flags to indicate vehicles that transport hazardous materials, two spades and a hack, portable lamp that can be included on the vehicle battery and is made so that it can cause an explosion or fire. In addition, the vehicle carrying radioactive materials must have a device for control of radiation and means for protection and marking the field two flags to indicate the vehicle.

A vehicle carrying dangerous goods can move only roads that are designated for the movement of such vehicles and may stop and park only in places that are for that type of vehicle is determined and marked. Ways to move these vehicles designated by the Ministry in charge of

Transport and Maritime Affairs, with the consent of the state administration in charge of issuing permits for transportation of certain hazardous substances.

A driver who is due to a malfunction of the vehicle, traffic accident, loading or unloading, or other reasonable reasons forced the vehicle to stop the dangerous substance by road or parking lot in the settlement, the obligation to take all measures to halt the vehicle does not endanger other vehicles and especially to warn road users exactly certain signs and lamp placed at a distance of at least 50 feet from the vehicle and to be visible from a distance of at least 150 m for drivers of motor vehicles face the same side of the road is stopped vehicle.

During the transport of dangerous goods on railway transport are applied, in addition to security measures for the transport of hazardous materials regulated by this law and provisions of international regulations on transport of dangerous goods on rail. Dangerous goods must not be transported in rail cars containing passengers. Companies, other businesses and entrepreneurs who do business of rail transportation shall provide storage of dangerous substances transported, from the time of receipt until the moment of delivery of goods. Railway rolling stock loaded with hazardous materials be used to maneuver if they have taken appropriate security measures. The designated entities that do business in the railway carriage, governing a single security measure when maneuvering railway rolling stock. Railway rolling stock and cisterns loaded with hazardous materials uvršćuju the trains under the conditions and in the manner determined by unique rules that bring subjects to perform activities of railway traffic.

Regulations on transport of dangerous goods in rail traffic by the Ministry in charge of Transport and Maritime Affairs, in cooperation with the Ministry responsible for internal affairs.

During the transport of dangerous goods in inland waterways, in addition to security measures prescribed by this Law shall be applicable provisions of the International Convention for the protection of human life at sea concerning the transport of dangerous goods. Regulations on the manner of carrying out the transport of dangerous goods on inland waterways by the Ministry in charge of Transport and Maritime Affairs, in cooperation with the Ministry responsible for internal affairs. Technical rules on fitness of ships for transport of dangerous goods on inland waterways by the Ministry in charge of Transport and Maritime Affairs.

Inland waterway dangerous goods must be transported by cargo ships or tankers that are intended to do so. Exceptionally, the dangerous goods must be transported and passenger ships, if these materials are located in a space separate from passengers. On one coast to another coast, dangerous goods can be transported and scaffolding, but that during the transport of Skela may not be in passengers. Smaller quantities of dangerous goods for households or work sites may deliver and delivery of the boats and floating devices. During the loading of dangerous goods on a ship or tanker or unloading from the ship or tanker and during the cleaning and airing of the ship or tanker banned smoking and the use of fire and other agents that can cause arcing, fire or explosion. For tankers which transport explosive or flammable materials is prohibited, without room to house people, smoking and use of fire and other agents that can cause arcing, fire or explosion, and during loading and unloading of materials and during the cleaning of tankers are prohibited these actions in the premises for the accommodation of personnel on the tanker.

Specially built tankers for transport are foreseen for the transport of flammable liquids on the inland waterways. Flammable liquids must be transported only on tankers that are specifically built to transport these fluids. Ships loaded with hazardous materials can zimuju in zimovnicima only if it can be implemented all security measures required for storage and storage of hazardous substances.

During the transport of dangerous goods by sea vessels shall apply, in addition to security measures for the transport of hazardous materials regulated by this Law, the provisions of the International Convention for the protection of human life at sea and other international regulations relating to the transport of dangerous goods. Maritime passenger ships may be carrying dangerous goods only if the conditions as for the transport on inland waterways. The provisions relating to the internal waterways apply to the transport of maritime transport and naval ships. Regulations on the manner of carrying out the transport of dangerous goods in maritime transport by the Ministry in charge of Transport and Maritime Affairs, in cooperation with the Ministry responsible for internal affairs. Technical rules on the eligibility of the ship for transport of dangerous goods in maritime transport by the Ministry in charge of Transport and Maritime Affairs in accordance with the provisions of international codes.

On the Transport of Dangerous Goods in air transport, the provisions of Annex 18 (secure transport of dangerous goods by air) to the Convention on International Civil Aviation (Chicago, 1944. Years), as well as technical instruction with the annex, if they are contrary to the provisions of this law . In air transport hazardous materials are transported by aircraft intended for the transport of cargo or aircraft which are specifically intended for the transport of dangerous goods. Transport of dangerous goods for transport aircraft passengers may be carried out only in cases and under conditions that are determined by international agreements on the transport of dangerous goods in air transport. Piroforične radioactive liquids must not be transported by aircraft. If a passenger aircraft carrying radioactive materials, shipments from these materials are received only at the airport of departure of aircraft. When the sender of the transfer of radioactive material is required to determine the qualified person that will accept shipments with radioactive materials to the aircraft entering or after the presentation of the aircraft. During the loading of explosive materials in the aircraft or unloaded from the aircraft, the aircraft must not be full of fuel. Shipping hazardous materials in the aircraft or unloaded from the aircraft can not be done during nepogodnih atmospheric conditions that could cause an explosion, fire, destruction or hazardous materials spill. As long as the aircraft are explosive or flammable materials, space in which they are located must not be zagrijeva. Shipments of dangerous materials can be received and the board in a foreign airport for aircraft flying to the domestic airport only if the sender has the recipient's mail box is provided to accept the shipment qualified person immediately after the landing of aircraft

Aircraft that is only loaded hazardous materials can be across the territory of Montenegro, only if it receives approval issued by the ministry in charge of Transport and Maritime Affairs in accordance with the Ministry in charge of Defence, the Ministry of the Interior and the Ministry responsible for foreign affairs. The request for the issuance of the carrier is obliged to indicate the type and quantity of hazardous materials, airport departure and airport landing aircraft. If the aircraft carrying dangerous goods, the carrier is obliged to inform in advance about the ministry in charge of Transport and Maritime Affairs and the Ministry in charge of internal affairs. Regulations on the manner of carrying out the transport of dangerous goods by air traffic by the Ministry in charge of Transport and Maritime Affairs, in cooperation with the Ministry responsible for internal affairs.

With the transfer of postal traffic is prohibited to place explosive, flammable and other hazardous substances in pisonosne shipping and postal packages.

Under authority given by this law (Article 109), public administration bodies are obliged to keep records such as: the types of hazardous materials, their properties that pose a threat to life and

health of people and material goods, measures to be taken to prevent or remove danger and companies and individuals who can provide assistance in removing the danger incurred. Methodology on how to form a database of hazardous substances prescribed by the ministry in charge of internal affairs.

5th Inspection over the implementation of the law (Art. 110 and 111), including bodies responsible for inspection and administrative measures and actions that they undertake. Thus, inspection of the implementation of laws and regulations enacted under this law, in accordance with the law governing the inspection, carry out the ministry in charge of internal affairs, the ministry in charge of health, the ministry in charge of Maritime Affairs and Transportation and the administrative authority to Civil Aviation Affairs, through appropriate inspection.

6th Kaznenim provisions (Art. 112 to 115 of the Bill) established the offenses for acts committed contrary to the provisions of this law, as well as penalties for the violation committed.

7th Transitional and final provisions (Art. 116 to 118 of the Bill) provides for making by-laws within one year from the date of entry into force of this law, and that the date of entry into force of this Act cease to apply the Law on transport of dangerous goods (Official Gazette of SFRY "no. 27/90, 45/90 and""Official Gazette of the FRY, No. 68/2002).

This law shall come into force eight days after publication in the Official Gazette of Montenegro."

V. ASSESSMENT OF THE AMOUNT OF FINANCIAL RESOURCES NEEDED FOR LAW ENFORCEMENT

To implement this law in 2007. 2008 and 2009 was not necessary to provide additional funds in the budgets of Montenegro.