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Inland Transport Committee

Working Party on Inland Water Transport

Sixtieth session

Geneva, 2-4 November 2016 Item 7 (a) of the provisional agenda Standardization of technical and safety requirements in inland navigation: European Code for Inland Waterways (CEVNI) (Resolution No. 24, revised)

Amendments to the European Code for Inland Waterways (CEVNI)

Note by the secretariat

I. Mandate

- 1. This document is submitted in line with Cluster 5: Inland Waterway Transport, paragraph 5.1 of the programme of work 2016-2017 (ECE/TRANS/2016/28/Add.1) adopted by the Inland Transport Committee at its seventy-eighth session on 26 February 2016.
- 2. The Working Party on Inland Water Transport (SC.3) at its fifty-ninth session approved the questionnaire on regional and national special requirements reproduced in ECE/TRANS/SC.3/2015/7 with a view of updating Chapter 9 of the European Code for Inland Waterways (CEVNI) (ECE/TRANS/SC.3/201, para. 43). Following the decision of SC.3, the secretariat circulated the questionnaire among member States and River Commissions. The present document represents the answers to the questionnaire transmitted by Austria, Bulgaria and Romania.

II. Answers to the Questionnaire on Regional and National Special Requirements A. Part I – Information on special requirements deviating from CEVNI in accordance with Chapter 9 "Regional and National Special Requirements"

	Yes/No	Additional information	Yes/No	Additional information	Yes/No	Additional information
Article	Austria		Bulgaria		Romania	
Chapter 1, "General provisions"				The basic provisions governing navigation on the Danube (DFND 2010, DC/SES 75/19) CEVNI Revision 4		
With respect to article 1.01 (a) 5, does your Administration state in the ship's certificate that the vessel is a high-speed vessel?	Yes		No	Directive 2006/87/EC	Yes	
Does your Administration use a different definition of "high-speed vessel"?	No		No		No	
With respect to article 1.01 (a) 10, does your Administration use the term "small size craft" as a subcategory of "small craft"?	No		No	Only the term "small craft" for vessels less than 20 m in length	No	
With respect to article 1.01 (a) 11, does your Administration use a different definition of "water bike"?	Yes	Water bikes with a length of less than 4 m are defined as "assembly of floating material"	Yes	Jet	Yes	

	Yes/No	Additional information	Yes/No	Additional information	Additional Yes/No information
Article	Austria		Bulgaria		Romania
With respect to article 1.01 (a) 12, does your Administration use a different definition of term "sports or pleasure craft"?	No	Not yet transposed into national law	No	"Craft for sports and pleasure"	Yes
With respect to article 1.02, does your Administration waive the provisions of article 1.02 in case of certain assemblies of floating material and non-motorized vessels in certain side-by-side formations?	No		No	No derogations are permitted	No
With respect to article 1.09, does your Administration prescribe other provisions concerning age for steering small craft?	Yes	Exemption for persons participating in authorized public events or persons under supervision	No	DFND and CEVNI Revision 4	Yes
With respect to article 1.10, para. 1, does your Administration require other documents to be on board the vessel, including but not limited to?	Yes	Documents not marked with "Yes" are not required by the law transposing CEVNI, but by other national laws. In addition documentation of the sulphur content of fuels and of the prescribed checks of the personal safety devices have to be on board	Yes	DFND Additionally the logbook for inland navigation vessels is required	

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		Yes/No	Additional information	Yes/No	Additional information	Yes/No	Additional information
		Austria		Bulgaria		Romania	
a)	Certificate on the release of the logbooks;	Yes		Yes	Certificate on the release of the logbook only	No	
b) ecor	Certificate of installation and functioning of tachograph and its ds as required;			No			
c)	Radar certificate;	Yes		Yes		Yes	
d) evic	Certificate confirming installation and functioning of radar e and rate-of-turn indicator;	Yes		Yes		Yes	
e) iterr	Radiotelephone certificate delivered according to the relevant national and regional agreements;	Yes		Yes	Vessel radio station license		
)	Certificate on frequency allocation;	Yes		Yes	Included in the Vessel radio station license under (f)	Yes	
;) art a	Handbook on radiotelephony in inland navigation, (general and regional part);			Yes			
1)	A duly completed book of oil control;	Yes		Yes			
)	Certificate for boilers and auxiliaries for vessels;	Yes		Yes		Yes	
)	Certificate for liquefied gas installations;	Yes		Yes		Yes	
()	Certificate for electrical equipment;	Yes		Yes		Yes	
) re e	Verification certificate for portable fire extinguishers and fixed xtinguisher installations;	Yes		Yes		Yes	
m)	Verification certificate for cranes;	Yes		Yes		Yes	

	Additional Yes/No information	Additional Yes/No information	Additional Yes/No information
Article	Austria	Bulgaria	Romania
(n) The documents referred to in sections 8.1.2.1, 8.1.2.2 and 8.1.2.3 of ADN;		Yes	Yes Section 8.1.2.1 (partially) (a, c, d, e, f), section 8.1.2.2 (c, d) and section 8.1.2.3 (c, d, e, f, g) of ADN
(o) Certificate confirming stability for the transport of containers;	Yes	Yes	Yes
(p) Certificate on duration and local boundary of the construction site, where the worksite craft is allowed to be used;		Yes As a separate permit, not in accordance with DFND	No
(q) Copies of certificates for engines, including the type-approval certificate and the engine parameter protocol;		No	Yes
(r) Certificates for mooring cables;		No	Yes
(s) Certificate confirming installation and functioning of the inland AIS equipment.		Yes Included in the Vessel radio station license under (f)	
Chapter 2, "Marks and Draught Scales on Vessels; Tonnage Measurement"			
With respect to article 2.02, does your Administration prescribe other provisions for small craft which are neither motorized nor sailing craft and for sailboards or small sailing craft less than 7 m long?	No	No DFND and CEVNI Revision 4	Yes
With respect to article 2.05, does your Administration require application of the European Identification Number (ENI), if applicable, on anchors as an identification mark?	Yes	No Not required by DFND and CEVNI Revision 4	No

		Yes/No	Additional information	Yes/No	Additional information	Yes/No	Additional information
Article	,	Austria		Bulgaria	Bulgaria		
Chap	oter 3, "Visual Signals (Marking) on Vessels"						
waive	respect to section II of Chapter 3, does your Administration e the requirements for require vessels under way to carry day ings?	No		No	DFND and CEVNI Revision 4	Yes	
With	respect to article 3.08 para. 1, does your Administration:				DFND and		
(a)	Prescribe other stern lights?	No		No	CEVNI Revision 4	Yes	
(b)	Prescribe a height of less than 5 meters prescribed in para. (a)?	No		Yes		Yes	
	respect to article 3.09 para. 1 (a), does your Administration ribe a height of less than 5 meters?	No		No	DFND and CEVNI Revision 4	Yes	
With	respect to article 3.10 para. 1, does your Administration:				DFND and		
(a)	Prescribe the use of bright lights on narrow waterways?	No		No	CEVNI Revision 4	No	
(b) lights	Authorize the pusher to carry the masthead lights and the side ?	No		Yes		No	
by-si	respect to article 3.11, does your Administration consider a side- de formation whose greatest dimensions do not exceed 110 m in h and 23 m in width as a single motorized vessel?	No	Maximum 110 x 12 m is considered as single vessel	No		No	
With	respect to article 3.14, para. 1, does your Administration:			·			
presc Dang the M Orga "B" c	In the case of seagoing vessels operating only temporarily in d navigation areas, authorize the use of the day and night signals ribed in the Recommendations on the Safe Transport of gerous Cargoes and Related Activities in Port Areas adopted by faritime Safety Committee of the International Maritime nization (by night an all-round fixed red light and by day flag of the International Code of Signals), instead of the signals wribed in paras. 1, 2 and 3 of the article?	No		No	DFND and CEVNI Revision 4	Yes	

	Yes/No	Additional information	Yes/No	Additional information	Yes/No	Additional information
Article	Austria		Bulgaria		Romania	
(b) Prescribe red lights instead of blue lights?	No		No		No	
With respect to article 3.16, does your Administration prescribe another marking?	No		No	DFND and CEVNI Revision 4	No	
With respect to article 3.20, para. 4, does your Administration prescribe that small craft other than ship's boats do not need to carry the black ball by day?	Yes	If moored in one breadth on a floating establishment	No	DFND and CEVNI Revision 4	No	
With respect to article 3.27, does your Administration prescribe a yellow scintillating light instead of the blue for fire-fighting and rescue vessels?	Yes		No	DFND and CEVNI Revision 4	No	
Chapter 4, "Sound Signals; Radiotelephony; Navigation Devices"	•		•		•	
With respect to article 4.05, does your Administration apply the harmonized national technical and operational requirements for radiotelephone installations on board inland navigation vessels in the framework of a Regional Arrangement based on the Radio Regulations of the International Telecommunication Union (ITU)?		According to Danube Commission: Basel 2000	Yes	DFND and CEVNI Revision 4	Yes	
With respect to article 4.06, does your Administration allow on certain inland waterways high-speed vessels to operate in daytime and at a visibility of 1 km and more without being fitted with radar equipment and a rate-of-turn indicator?	No		No	DFND and CEVNI Revision 4	Yes	
With respect to article 4.07, does your Administration allow:						
(a) Using AIS Class A instead of Inland AIS?	No		No	DFND and CEVNI Revision 4	No	
(b) Using AIS Class B; if yes, for which vessel type?	No				No	
(c) Switching off AIS equipment on stationary vessels, when cargo loading and unloading operations are held or in other cases?	Yes		No		No	

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	Yes/No	Additional information	Yes/No	Additional information	Yes/No	Additional information	
Article		Austria			Romania		
(d) Derogations from para. 1 for vessels or groups of vessels other than specified in subparas. (a)-(d) depending on their dimensions, purpose, operation mode?	No				No		
(e) Using local frequencies instead of AIS 1 (161.975 MHz) and AIS 2 (162.025 MHz)?	No		No		No		
Chapter 5, "Waterway Signs and Marking"							
With respect to article 5.01, para. 2, does your Administration regulate navigation on certain sections by also using special signs at control posts?	Yes	Light signals	No	DFND and CEVNI Revision 4	Yes		
Chapter 6, "Rules of the Road"							
With respect to article 6.02, does your Administration prescribe specific rules applicable to small craft?	Yes	6.11	No	DFND and CEVNI Revision 4	Yes		
Does your Administration prescribe specific rules applicable to pleasure or sport craft?	No		No	The smallest vessels have to leave the fairway	No		
With respect to article 6.04, does your Administration prescribe special exceptions to the rules on the meeting of the vessels?	No		No	DFND and CEVNI Revision 4	No		
With respect to article 6.05, does your Administration prescribe special rules for the meeting of vessels?	No		No	DFND and CEVNI Revision 4	No		
With respect to article 6.08, does your Administration prescribe that, f the signs referred to in para. 2 above cannot be displayed, vessels shall stop and wait until authorization to proceed is given by representatives of the competent authorities?	Yes		Yes	DFND and CEVNI Revision 4	Yes		
With respect to article 6.11, para. (b), does your Administration stipulate an exception for the situation when one of the convoys is a side-by-side formation whose maximum dimensions do not exceed 110 m x 23 m?	No		No	DFND and CEVNI Revision 4	No		

	Yes/No	Additional information	Yes/No	Additional information	Additional Yes/No information
Article	Austria		Bulgaria	ı	Romania
With respect to article 6.22 bis, does your Administration prescribe special rules for navigation when passing floating equipment at work, or grounded or sunken vessels, and vessels whose ability to manoeuvre is limited?	No		No	DFND and CEVNI Revision 4	Yes
With respect to article 6.23, para. 2 (b), does your Administration prohibit the use of longitudinal cable?	No		Yes	DFND and CEVNI Revision 4	Yes
With respect to articles 6.24-6.26, does your Administration prescribe special rules or signs for the passage under bridges?	No		No	DFND and CEVNI Revision 4	Yes
With respect to article 6.27, does your Administration prescribe special rules for the passage through weirs?	No		No	DFND and CEVNI Revision 4	Yes
With respect to article 6.28, does your Administration prescribe special rules for the passage through locks?	Yes		No	DFND and CEVNI Revision 4	Yes
With respect to article 6.28 bis, does your Administration prescribe special rules for entering and leaving locks?	Yes		No	DFND and CEVNI Revision 4	Yes
With respect to article 6.30, does your Administration prescribe other general rules for navigation in visibility of less than 1 km?	Yes	Pleasure craft with a length of less than 20 m have to leave the fairway	No	DFND and CEVNI Revision 4	Yes
With respect to article 6.32, does your Administration:	No			DFND and	
(a) Waive the provision on giving the three-tone signal or apply it only on certain waterways?			No	CEVNI Revision 4	Yes
(b) Prescribe additional provisions for vessels navigating by radar?			No		Yes
With respect to article 6.33, does your Administration prescribe that a vessel carrying the boatmaster of a convoy shall sound two long blasts?			No	DFND and CEVNI Revision 4	Yes

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	Yes/No	Additional information	Yes/No	Additional information	Yes/No	Additional information
Article	Austria		Bulgaria		Romania	
Chapter 8, "Signalling and reporting requirements"						
With respect to article 8.01, para. 4, does your Administration require that, if the vessel is stationary, all engines and auxiliary machinery must be stopped or unplugged?	No		No	DFND and CEVNI Revision 4 As mentioned, only those that are not essential	No	
Annex 11, "Safety Checklist for Bunkering Fuel"						
With respect to annex 11, does your Administration require this form or other documents? If yes, please indicate their names here.	Yes	This form	No	DFND and CEVNI Revision 4	Yes	Operational procedures

B. Part II – Information on other deviations from articles of Chapters 1-8 and annexes of CEVNI

1. Austria

Article 1.01, I, 10

Ferries certified for the transport of not more than 12 passengers are considered as small craft.

Article 1.01, IV, 12

Waterways are defined in the national law as the Austrian part of the Danube and the lower sections of the rivers Traun, Enns, and March.

CEVNI is applicable on these waterways. The regulations for other inland waters open to navigation are based on CEVNI, but are much shorter because there are e.g. no convoys on those inland waters.

Article 1.09

Deviating from para. 5 high-speed vessels may only travel at a speed greater than 40 km/h in relation to water, if steered by a person not younger than 21 years of age who has the necessary qualifications referred to in article 1.10, para. 1 (e) and (j).

Article 2.01, para. 5

The obligation to fly the national flag does not apply on national waterways.

Article 3.22

The lights in accordance with paras. 1 and 2 are not required on ferries if the conditions of article 3.20, para. 4 (b) or para. 5 (Austrian amendment) are met. Para. 5 (c) is also applicable to ferries with a length of up to 20 m.

Article 3.23

Deviating from para. 1 floating establishment is not required to carry lights if not protruding more than 5 m into the waterway.

Article 6.11

The prohibition of overtaking does not apply to vessels overtaking small craft.

Article 6.28

Para. 2 applies to the whole lock area which includes the berths for waiting for lockage.

Deviating from para. 3 passage through locks shall be in the order of arrival in the lock area. The estimated time of arrival of vessels equipped with Inland AIS may be used to determine the order of locking.

Within the limits defined in para. 7 (a) vessels have to proceed as far into the lock chamber as necessary and to select a place within the chamber that does not impede following vessels to enter and use the same chamber.

Deviating from para. 7 (c) it is allowed to use suitable non floating devices.

Deviating from para. 7 (e) mechanical means of propulsion may be used in exceptional cases to assure safety during locking.

All persons on the deck of pleasure craft with a length of less than 20 m have to carry life jackets during locking.

The lock near the left bank is the "left lock", the lock near the right bank the "right lock".

Vessels may only berth in the lock area before or after locking if necessary because of nautical reasons or allowed by the lock surveillance.

The deck crew on duty has to be on deck during locking if it is not necessary to go on shore for making fast. The wheelhouse of motorized vessels has to be manned during locking.

Vessels carrying marking in accordance with article 3.14 have to report the marking when announcing for locking.

The lock surveillance has to be informed by radiotelephony, lock telephone, ringing the bell or calling when the vessel or convoy is ready for locking.

Bunkering and taking over of polluting substances is not allowed within locks.

Article 6.29

Deviating from para. 1 the following shall have priority of passage through a lock:

- (a) Vessels used for aid and rescue;
- (b) Vessels of navigation surveillance, police and customs during operation;
- (c) Heavily damaged vessels;
- (d) Vessels according to article 6.29, para. 1 (b);
- (e) Passenger vessels operating in a scheduled service and
- (f) Other passenger vessels with passengers on board, if they are announced to the lock operator at least one hour before.

After each locking upstream or downstream of vessels making use of their priority there has to be a locking of waiting other vessels without priority in the same direction. If a vessel is not ready for locking when the signal for entering the lock is shown it has to inform the lock operator and the next vessel waiting for locking.

A priority of passage through locks can be granted on request of the operator of a vessel if it is in the interest of the safety of navigation or persons, for the public benefit or in the interest of national economy. The priority is assigned with a certificate in accordance with appendix x; the certificate has to be on board if the right of priority is used.

Article 7.02

Deviating from paras. 1 and 2 vessels shall be moored only at public or private berths taking into account the orders for the use of those berths if they are loaded, unloaded, entered or exited by passengers, bunkered, provided with operating materials or provisions and all other activities necessary to continue the voyage outside of ports. Mooring at other places is only allowed with approval of navigation surveillance in individual cases. Mooring in cases of emergency has to be reported by the boatmaster to the navigation surveillance without delay.

2. Bulgaria

DFND and CEVNI Revision 4 are applied. There are no essential deviations from the articles of Chapters 1-8 and the Annexes of CEVNI.

3. Romania

There are no deviations from the articles of Chapters 1-8 and the Annexes of CEVNI.

C. Part III – Information on the additional requirements complementing Chapters 1-8 and annexes of CEVNI

1. Austria

Article 1.01, IV, 2

Especially surf boards, unmanned towing and water ski towing gear, water bikes with a length of less than 4 m and amphibious craft and other floating land vehicles are considered as floating establishment.

Article 1.01, IV, 8

The state of the boatmaster of a commercial vessel or convoy, who has been on duty for more than 16 hours within 24 hours is considered as state of fatigue in any case.

Article 1.01, IV, 9

The state of a person with an alcohol level of 0.5 g/l (0.5 per mille) or higher in the blood or an alcohol level of 0.25 mg/l or higher in the breath is considered as intoxicated in any case. The state of the boatmaster of a commercial vessel or convoy with an alcohol level of 0.1 g/l (0.1 per mille) or higher in the blood or an alcohol level of 0.05 mg/l or higher in the breath is considered as intoxicated by alcohol;

Article 1.06

Vessels that cannot use the whole width of the marked fairway because of their draught have to take into account the depth information provided by River Information Services under www.doris.bmvit.gv.at as part of general obligation to exercise vigilance and especially for the planning and the communication of passing and overtaking.

Article 1.08, para. 3

Vessels with a length of 2.5 m to 24 m used for pleasure and recreation may only be used if they comply with the pleasure craft regulation (transposition of Directive 2013/53/EU). This does not apply to

- (a) Watercraft intended solely for racing, including rowing racing boats and training rowing boats;
- (b) Canoes and kayaks designed to be propelled solely by human power, gondolas and pedalos;
- (c) Original historical watercraft and individual replicas thereof designed before 1950, built predominantly with the original materials;
- (d) Experimental watercraft, provided that they are not placed on the European Union market;

- (e) Watercraft built for own use, provided that they are not subsequently placed on the Union market during a period of five years from the putting into service of the watercraft;
 - (f) Hydrofoils;
- (g) Craft placed on the market or put into service before 16 June 1998 in the European Union/in the European Economic Area;
- (h) Pleasure craft certified by another country, that are using the national waterways not more than three months within a calendar year.

Article 1.08

Using pleasure craft whose noise is not reduced according to the state-of-the-art is prohibited. The operating noise is measured in accordance with EN ISO 14 509-1:2008 "Small craft – Airborne sound emitted by powered recreational craft – Part 1: Pass-by measurement procedures" and may not exceed an A-weighted sound pressure level of 75 dB.

Article 1.09

The use of systems that determine the course and speed of a vessel or convoy based on geo referenced data without intervention of the boatmaster in the ongoing operation (automated track control) is prohibited.

Article 3.20

In addition to para. 4 the marking in accordance with paras. 1 to 3 does not have to be carried by

- (a) Vessels lying between groins that are not covered by water or behind guiding walls that are not covered by water;
- (b) Vessels moored at a floating establishment and sufficiently illuminated by the floating establishment;
 - (c) Small craft moored directly at a floating establishment.

Article 4.05

Paras. 1, 2 and 3 are also applying to vessels involved in accident if they are stationary.

Para. 3 is also applying to small craft using radiotelephony voluntarily.

Article 4.07

In addition to the information prescribed in para. 4 the following data shall be transmitted:

- · maximum static draught;
- number of blue cones/lights.

In addition to the information required in para. 5 the boatmaster shall immediately update the following data if it has changed:

- · maximum static draught;
- number of blue cones/lights.

The requirement of para. 3 does not apply if the vessel is stationary at a marked berth or in a port.

The boatmaster has to take the information received via AIS into account as part of the general obligation to exercise vigilance.

Article 5.02

Lights are only installed where nautically necessary.

Article 6.21

Pushed convoys are not allowed to tow.

Vessels with a steering gear may only be included in a convoy bow ahead, except for small movements.

Vessels required to carry the marking in accordance with article 3.14, para. 1 to 3 are not allowed to tow or to be towed. This does not apply to the use of motorized vessel as auxiliary vessels in sections with high current. The auxiliary vessel has to carry the marking in accordance with article 3.14, paras. 1 to 3 for the dangerous good that requires the highest number of blue cones or lights.

Pushed convoys or side-by-side formations with more than one motorized craft in accordance with article 1.01, I, para. 2, is only allowed, if the motorized craft are explicitly certified for that use.

Article 7.01

It is prohibited to batter posts in the fairway to secure stationary vessels.

Stationary vessels, assemblies of floating material and if necessary floating establishments have to be moved from the fairway to the shore or into a port if drifting ice is covering an average of three tenth of the width of the waterway or if a closed ice cover is forming in backwater sections. If this is not possible, they have to be moored in bays, tributaries or protecting sections of the shore in a way that precludes break away.

Article 7.03

If telescopic spuds are used:

- (a) The vessel shall be secured additionally by an anchor or a cable to the shore;
 or
 - (b) The main engine shall be in operation and the wheelhouse shall be manned.

Article 7.04

Anchors, panniers and similar items may not be positioned on shore except in case of emergency.

Other persons that the crew are not allowed to remove the mooring or the anchors of stationary vessels except in case of emergency or to aid the crew.

Article 7.08

Para. 1 is also applicable for leaky vessels, vessels (with the exception of small craft) forced to berth outside of ports or similarly protected areas when navigation is closed due to high water and vessels forced to berth outside of ports or similarly protected areas in case of ice.

An efficient watch on board is not required for tank vessels in accordance with para. 1 and for all vessels carrying the markings provided in article 3.14 if they are moored at a berth with a safe access from shore and surveillance by an expert according to ADN from shore.

Para. 3 is also applicable to other vessels with passengers on board.

An efficient watch according to para. 1 to 3 or surveillance according to para. 4 of several vessels by one person is allowed if the vessels are moored close together and safe access to every vessel is guaranteed.

Article 8.02

The reporting according to para. 1 (a) shall be communicated before the start of the voyage if the voyage starts within the country or when crossing the border in all other cases. Reports according to paras. 1 (b) to (f) are not required.

2. Bulgaria

DFND and CEVNI Revision 4 are applied. There are no other additional requirements complementing Chapters 1-8 and the Annexes of CEVNI.

3. Romania

There are no additional requirements complementing Chapters 1-8 and annexes of CEVNI.

D. Part IV – Information on deviations or additional requirements complementing Chapter 10 of CEVNI 5

1. Bulgaria

There are no deviations or additional requirements complementing Chapter 10 of CEVNI 5.

2. Romania

There are no deviations or additional requirements complementing Chapter 10 of CEVNI 5.