

**COOPERATIVE PROJECT ARRANGEMENT  
ON THE SAFE TRANSPORTATION OF DANGEROUS GOODS**

**BETWEEN THE DEPARTMENT OF TRANSPORTATION  
OF THE  
UNITED STATES OF AMERICA  
AND THE  
THE MINISTRY OF TRANSPORT  
OF THE  
PEOPLE'S REPUBLIC OF CHINA**

WHEREAS, the Department of Transportation of the United States of America and the Ministry of Transport of the People's Republic of China (hereinafter referred to as "the Participants"),

Taking note of the Agreement between the Government of the United States of America and the Government of the People's Republic of China on Cooperation in Science and Technology signed at Washington D.C. on January 31, 1979, and renewed on April 25, 2001,

Recognizing the importance of the Memorandum of Cooperation between the Department of Transportation of the United States of America and the Ministry of Communications of the People's Republic of China on Cooperation in Science and Technology in Transportation signed at Washington D.C. on December 8, 2003, (hereinafter referred as "the MOC"), and

In order to set forth the Cooperative Project Arrangement (hereinafter referred to as "the Arrangement") on cooperation in promoting the safe transportation of dangerous goods,

Have reached the following understandings pursuant to paragraph (e) of Article 2 of the MOC:

**I. PURPOSE**

The purpose of this Arrangement is to outline specific terms of cooperation between the Participants on policy and regulatory matters surrounding the transportation of dangerous goods.

**II. SCOPE OF COOPERATION**

The Participants intend to cooperate under this Arrangement on the following activities:

1. Develop and strengthen avenues of communication concerning the safe transport of dangerous goods;
2. Exchange and cooperate in the development of technical information to support regulatory development;

3. Improve harmonization and increase safety by effectively implementing international regulations developed by international forums such as the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods, International Maritime Organization, and the International Civil Aviation Organization;
4. Cooperate on enforcement and investigative actions to improve dangerous goods transport safety, to include exchange of incident and violation data;
5. Organize training activities aimed at promoting the capabilities of managerial and technical personnel.

### III. FORMS OF COOPERATION

Pursuant to Article 3 of the MOC, the Participants intend to maintain an open and continuing dialogue concerning dangerous goods transport regulation and safety, addressing some or all of the following activities:

1. Share information regarding domestic and international programs;
2. Share technical information on specific areas of interest that relate to the safe transport of dangerous goods, such as, but not limited to, explosives, batteries, pressure receptacles, and portable tanks;
3. Jointly contribute to promoting greater international harmonization of dangerous goods regulations, consistent with the respective safety needs of the Participants, through multilateral forums such as the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods, the International Maritime Organization, and the International Civil Aviation Organization;
4. Share and discuss research and development plans related to dangerous goods transport safety;
5. Exchange experts;
6. Cooperate in enforcement of regulations governing the safe transport of dangerous goods;
7. Develop additional provisions for cooperation as mutually agreed.

### IV. IMPLEMENTATION BODIES

1. The bodies responsible for the implementation of the Arrangement are:

**For the Chinese side:**

The Department of International Cooperation  
of the Ministry of Transport;

**For the American side:**

The Office of Assistant Secretary for Aviation and International Affairs  
of the Department of Transportation.

2. The liaison and coordination work for the implementation of this Arrangement are the responsibility of the implementation bodies of both Participants.

#### V. FUNDING

Cooperation under this Arrangement is subject to the availability of funds of each Participant.

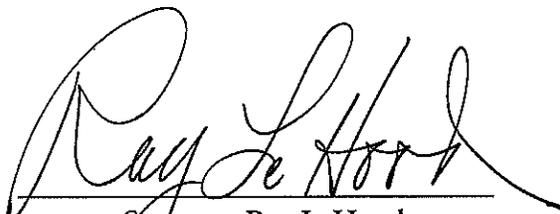
#### VI. INFORMATION

Any information transmitted by one Participant to the other Participant under this Arrangement should be accurate and reliable to the best knowledge and belief of the providing Participant, but the providing Participant does not intend to warrant the suitability of such information for any particular use or application by the receiving Participant.

#### VII. MISCELLANEOUS

1. This Arrangement will come into effect on the date of its signature. Either Participant may give written notice to the other Participant of its intention to terminate this Arrangement. This Arrangement shall terminate sixty (60) days after the date of receipt of the notice by the other Participant.
2. This Arrangement may be amended at anytime by mutual consent of the Participants.
3. Implementation of this Arrangement will be subject to the laws and regulations in force in each country.

Signed in Washington, D.C. this 30th day of March, 2009, in duplicate in the Chinese and English languages.



Secretary Ray LaHood  
*Department of Transportation  
of the United States of America*



Minister Li Shenglin  
*Ministry of Transport  
of the People's Republic of China*

## **Action Plan to the Cooperative Project Arrangement On the Safe Transportation of Dangerous Goods**

This Action Plan demonstrates the desire of both countries to implement the Cooperative Project Arrangement on the Safe Transportation of Dangerous Goods between the Department of Transportation of the United States of America and the Ministry of Transport of the People's Republic of China.

Such arrangements may include the following areas: The participants may

1. Convene an annual meeting to communicate and coordinate efforts pertaining to the regulation, enforcement, and education of dangerous goods transportation.
  - a. The location of each meeting to be agreed upon by the Participants;
  - b. Attendees at each annual meeting may include representatives conversant in:
    - i. Executive Leadership;
    - ii. International Standards;
    - iii. Outreach and Training;
    - iv. Enforcement;
    - v. Research and Technology;
    - vi. Regulatory Standards; and
    - vii. Port management.
  - c. The annual meeting may be focused on regulatory development, training, and uncovering issues common to both participants related to enhancing the safe transportation of dangerous goods.
  - d. A portion of the annual meeting may be reserved for discussion with industry partners involved in shipping and transport of dangerous goods between the participating countries.
2. Create working groups to communicate and cooperate on:
  - a. **International Standards.** The participants may
    - i. Convene to discuss position papers and specific concerns during international dangerous goods meetings, to include:
      1. Sessions of the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods;
      2. Sessions of the International Maritime Organization's Sub-Committee on Dangerous Goods, Solid Cargoes, and Containers;
      3. Sessions of the International Civil Aviation Organization Dangerous Goods Panel.

- ii. Work to maximize regulatory harmonization and cooperation.

**b. Outreach and Training.** The participants may

- i. Create an avenue to share incident reporting data, to include incidents reported in the United States related to Chinese shippers and carriers and vice versa;
- ii. Develop a "Train-the-Trainer" program to assist transport of dangerous goods instructors;
- iii. Develop general awareness training materials and videos for distribution to shippers and carriers of dangerous goods;
- iv. Develop outreach and educational tools on the transport of dangerous goods for mass distribution to dangerous goods shippers and carriers; and
- v. Share common interpretations and frequently asked questions on regulatory compliance.

**c. Enforcement.** The participants may

- i. Develop an agreement between participating enforcement agencies to promote communication of enforcement actions and exchange information pertaining to dangerous goods transport; and
- ii. Facilitate methods to improve enforcement capabilities against shippers and carriers that are consistently in non-conformance with international regulations.

**d. Research and Technology.** The participants may

- i. Cooperate and communicate work accomplished and in-progress pertaining to various dangerous goods safety issues including but not limited to:
  - 1. Fireworks;
  - 2. Cylinder design, manufacturing and inspection programs;
  - 3. Lithium batteries (manufacturing, testing, packaging, and consumer/airline passenger awareness);
  - 4. Classification of dangerous goods;
  - 5. Dangerous goods packaging approvals;
  - 6. Cargo tank truck, portable tank and rail car design, use and approval processes; and
  - 7. Enhancing emergency responder capabilities.

**e. Dangerous Goods Regulations.** The participants may

- i. Cooperate and communicate on regulatory development procedures and implementation with a particular emphasis on shippers; and
- ii. Include United States DOT modal administrations to enhance discussion on modal-specific issues and enforcement of dangerous goods regulations.

f. **Special Permits and Approvals.** The participants may

- i. Cooperate and communicate relative to work accomplished and in-progress pertaining to:
  - 1. Approval of explosives (e.g. fireworks) and the use of explosive approval (EX) designations issued by the United States DOT and how the Competent Authority in China approves explosives; and
  - 2. Technical assistance in the issuance of approvals for international shipments of dangerous goods.

g. **Port Management.** The participants may

- i. Exchange information on dangerous goods regulations and standards at ports;
- ii. Establish incident reports data of dangerous goods at ports;
- iii. Develop tools and methods to strengthen management of dangerous goods at ports and;
- iv. Discuss and cooperate on contingency reserve, planning, emergency response and exercises relating to dangerous goods at ports.

## 中华人民共和国交通运输部和美利坚合众国运输部 关于危险货物安全运输合作项目的安排

中华人民共和国交通运输部和美利坚合众国运输部（以下简称“双方”）；

注意到 1979 年 1 月 31 日在华盛顿签订、并于 2001 年 4 月 25 日延长期限的《中华人民共和国政府和美利坚合众国政府科学技术合作协定》；

认识到 2003 年 12 月 8 日在华盛顿签订的《中华人民共和国交通部和美利坚合众国运输部交通运输科技合作备忘录》（以下简称备忘录）的重要性；

为阐明有关合作促进危险货物安全运输的合作项目安排（以下简称安排）；

根据备忘录第二条第五款，达成谅解如下：

### 一、目的

本安排旨在确定双方在危险货物运输政策和管理事务方面合作的具体条款。

### 二、合作范围

双方有意在本安排下开展以下活动的合作：

- （一）拓宽并加强有关危险货物安全运输的交流渠道；
- （二）开展有利于提高监管水平的技术信息交流与合作；
- （三）通过有效实施由诸如联合国危险货物运输专家分委

会、国际海事组织和国际民航组织等国际论坛制定的国际规则，促进协调，增强安全性；

（四）开展执法与调研合作，改善危险货物运输安全，包括事故与违规数据的交换；

（五）开展旨在提高管理和技术人员能力的培训活动。

### 三、合作方式

根据备忘录第三条，双方有意就危险货物运输管理与安全保持开放和持续的对话，开展以下部分或全部活动：

（一）共享有关国内和国际项目的信息；

（二）共享双方感兴趣的具体领域内有关危险货物安全运输的技术信息，包括但不限于爆炸物、电池、压力容器、便携式罐体等；

（三）根据双方安全需要，通过多边论坛，如联合国危险货物运输专家分委会、国际海事组织和国际民航组织，双方共同努力进一步促进危险货物规则的国际协调；

（四）共享和探讨与危险货物运输安全有关的研发计划；

（五）互派专家交流；

（六）开展有关实施危险货物安全运输规则方面的合作；

（七）制定双方同意的其他合作条款。

### 四、执行机构

（一）双方负责实施本安排的执行机构为：

中方：交通运输部国际合作司；

美方：运输部负责航空和国际事务的部长助理办公室。

(二) 双方的执行机构负责实施本安排的联络、协调等工作。

### 五、财务安排

本安排下的合作将视各方经费落实情况而定。

### 六、信息

根据本安排，由一方转送给另一方的任何信息应是提供方确信为准确、可靠的，但提供方不保证这种信息适用于接受方的任何特定用途。

### 七、其他

(一) 本安排自签字之日起生效。一方可书面通知另一方其终止本安排的意向。本安排将在另一方收到该通知 60 天后终止。

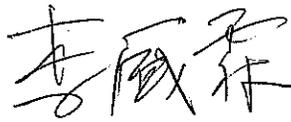
(二) 经双方同意，可随时修订本安排。

(三) 本安排的执行应符合任何一方国内的现行法律和规定。

本安排于 2009 年 3 月 30 日在华盛顿签订，一式两份，每份均用中文和英文写成。

中华人民共和国交通运输部

部 长

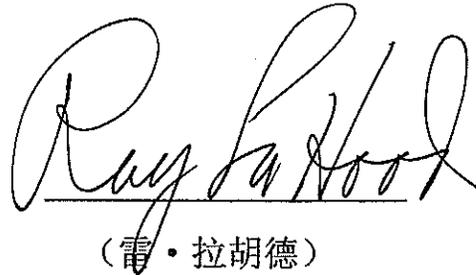


---

(李盛霖)

美利坚合众国运输部

部 长



---

(雷·拉胡德)

## 《关于危险货物安全运输合作项目的安排》 行动计划

本行动计划体现了两国实施《中华人民共和国交通运输部和美利坚合众国运输部关于危险货物安全运输合作项目的安排》的愿望。

这些安排可包括以下领域：双方可以：

一、召开年度会议，沟通和协调有关危险货物运输的规章、执行和教育等方面的努力。

（一）每次会议的地点由双方商定

（二）年度会议的与会者可包括熟悉以下内容的代表：

- 1、行政领导
- 2、国际标准
- 3、延伸服务和培训
- 4、执行
- 5、研究和技术
- 6、规章标准
- 7、港口管理

（三）年度会议可关注规章发展、培训及双方共同关心的有关加强危险货物安全运输的其他事宜。

（四）年度会议可预留部分时间，供与从事双方国家间危险货物海运和运输的产业合作伙伴进行讨论。

二、建立工作组，就以下事宜进行沟通和合作：

（一）国际标准

双方可以

1、在参加下述国际危险货物会议期间开会讨论立场文件和具体关切：

(1) 联合国危险货物运输专家分委会会议

(2) 国际海事组织危险货物、固体货物和集装箱分委会会议

(3) 国际民航组织危险品专家组会议

2、致力于扩大规章方面的协调和合作

(二) 延伸服务和培训

双方可以

1、建立渠道共享事故报告数据，包括在美国报告的与中国货主和承运人有关的事故，反之亦然。

2、开展“培训教员”的项目以协助从事危险货物运输培训的教员。

3、编制常识性培训材料和视频，用以分发给从事危险货物运输的货主和承运人。

4、开发危险货物运输的延伸服务和教育工具，用以大量分发给从事危险货物运输的货主和承运人。

5、共享有关遵守规章方面的一般性解释和常见问题。

(三) 执行

双方可以

1、由参与的执行机构制定一项协议，以促进执法行动的沟通并交换有关危险货物运输的信息。

2、改进方法，以提高针对一贯违反国际规章的货主和承运

人的执行能力。

#### （四）研究和技术

双方可以

1、开展合作，相互沟通已完成的和正在开展的有关危险货物安全事宜的工作，包括但不限于：

（1）烟花

（2）汽缸的设计、制造和检验项目

（3）锂电池（制造、检测、包装和消费者/航空旅客的认知）

（4）危险货物分类

（5）危险货物包装的批准

（6）货罐车、便携式罐体、有轨车的设计、使用和批准程序

（7）提高应急反应能力

#### （五）危险货物规章

双方可以

1、开展侧重货主的实施和规章制定程序的合作与交流。

2、经由美国运输部的运输模式管理部门，加深对具体运输模式和危险货物规章执行方面的讨论。

#### （六）特别许可和批准

双方可以

1、就以下已完成的和正在开展的工作进行合作和交流：

（1）爆炸物（如烟花）的批准和由美国运输部颁发的爆炸物批准标志的使用，以及中国主管机构批准爆炸物的方法。

(2) 对于颁发危险货物国际运输批准的技术支持。

(七) 港口管理

双方可以

- 1、开展港口危险货物规章和标准的交流。
- 2、建立港口危险货物事故报告数据；
- 3、探索加强港口危险货物管理的手段和方法。
- 4、开展港口危险货物的应急物资储备、应急预案、应急响应和应急演练等方面的交流与合作。