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**Working Party on the Transport
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Part 13 : requirements concerning the construction and approval of vehicles

Transmitted by the International Organization of Motor Vehicles manufacturers (OICA)

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| Executive summary: | As an outcome of the first examination of the proposed restructured ADR regarding the construction and approval of vehicles, OICA has developed additional proposals with the main purpose of ensuring clarity and avoiding misunderstanding. |
| Action to be taken: | The OICA proposals are submitted to the 67th WP15 session for their consideration. |
| Related documents: | Document TRANS/WP.15/1999/14, as amended according to TRANS/WP.15/157, Annex 1 |

PROPOSALS

CHAPTER 13.1

**GENERAL REQUIREMENTS CONCERNING THE CONSTRUCTION
AND APPROVAL OF VEHICLES**

13.1.1 General provisions

Justification :

We propose to delete the word "provisions", as this paragraph only deals with definitions and scope.

13.1.1.1 (new) Scope

The provisions of Part 13 shall apply to vehicles of categories N and O, as defined in Annex 7 of the Consolidated Resolution on the Construction of Vehicles (R.E.3), intended for the transport of dangerous goods according to the European

Agreement concerning the international carriage of dangerous goods by road (ADR)."

Justification :

A scope parallel to the existing scope in Directive 98/91/EC is deemed necessary for the sake of clarity.

13.1.1.2 Definitions

For the purposes of Part 13 :

"ECE Regulation" : *To be deleted.*

Justification :

Is this definition necessary ? If so, its wording should be reproduced as it exists in the official ECE documentation. Furthermore, an additional definition : "EC Directive" should also be inserted. We don't see any need to keep this definition as it is mentioned where the reference to an ECE Regulation or an EC Directive is introduced.

"Vehicle" : **means any vehicle, whether complete (e.g. one stage built vans, lorries, tractors, trailers), incomplete (e.g. chassis, chassis-cab, trailer-chassis), or completed (e.g. chassis-cab fitted with a bodywork), intended for the transport of dangerous goods by road.**

Justification :

The above definition is in line with the existing definition in Directive 98/91/EC, Annex 1.

"Base vehicle" : **means a chassis-cab vehicle, a tractor for semi-trailer, a trailer-chassis or a trailer with a self-supporting body intended for the transport of dangerous goods, to which Chapter 13.2 applies.**

Justification :

This wording is in line with the definition in ECE Regulation N° 105, paragraph 2.1.

"Complete vehicle" : **means any vehicle which does not need completion any further.**

Justification :

This wording is in line with the definition of incomplete vehicle in Directive 92/53/EC.

"Completed vehicle" : **means a vehicle resulting from the process of multi-stage approval.**

Justification :

This wording is in line with the definition in Directive 92/53/EC.

"Vehicle type" : *To be deleted.*

Justification :

This definition is provided for in ECE Regulation N° 105 for type approval purposes, but is not deemed necessary in Part 13.

"Other vehicle" : **means a vehicle other than an EX/II, EX/III, OX, FL or AT vehicle, intended for the carriage of dangerous goods in :**

**tank-containers of less than 3000 l capacity
battery vehicles of less than 1000 l capacity
closed, open body and sheeted vehicles**

for which no special certificate of approval, other than those required according to general safety requirements applicable to vehicles in a general manner, is required.

Justification :

This more comprehensive definition is preferable for the sake of clarity. We deem the definition of the "other vehicle" category not precise enough in the current proposal of ADR. The current definition may imply any vehicle, including vehicles not intended for the carriage of dangerous goods, vehicles exempted from the ADR in the sense of marginal 10 011 or vehicles intended for the carriage of dangerous goods in parcels. The definition must be very accurate in order to understand that these other vehicles are vehicles within the field of application of the ADR.

13.1.2 (as amended) Approval of EX/II, EX/III, FL,OX and AT vehicles

Note : *To be deleted.*

Justification :

The content of the note is covered under the proposed definition of "Other vehicle".

Add the following : **EX/II, EX/III, FL, OX and AT vehicles shall comply with the requirements provided for in this Part.**

Justification :

This additional wording is deemed preferable for the sake of clarity.

13.1.2.1 Individual approval

13.1.2.1.1 EX/II, EX/III, FL, OX and AT vehicles shall be subject to annual technical inspections in their country of registration to make sure that they conform to the relevant provisions of this **Part**, including those of its appendices ...

13.1.2.1.2 **ex 13.1.2.2**

13.1.2.1.3 **ex 13.1.2.3**

13.1.2.1.4 **ex 13.1.2.4**

13.1.2.2 Type approval

13.1.2.2.1 At the request of the manufacturer or his duly accredited representative, base vehicles of new motor vehicles and their trailers which are subject to approval according to paragraph 13.1.2.1.2 above may be type approved by a competent authority in accordance with ECE Regulation N° 105 or **Directive 98/91/EC**. This type-approval, granted by one Contracting Party, shall be accepted by the other Contracting Parties as ensuring the conformity of the base vehicle when the approval of the complete vehicle is obtained, provided that no modification of the base vehicle alters its validity.

Justification :

It has been agreed that the EC Directive can be used as an alternative.

13.2.1

Base vehicles of **EX/II, EX/III, FL, OX, or AT** motor vehicles and their trailers intended for the carriage of dangerous goods shall comply with the requirements of this Chapter, according to the table below.

For "other vehicles" as defined in 13.1.1.2 above :

- **the requirements of 13.2.3.1 are applicable to all vehicles first registered after 30/06/97**
- **the requirements of 13.2.5 are applicable to all motor vehicles with a maximum mass exceeding 12 tonnes registered after 31/12/87"**

Table :

Delete column "Other vehicle" to become "Remarks" comprising the existing footnotes. Footnote b) is to be deleted, and footnotes c) to g) become b) to f).

Justification :

We suspect that the integration of a new "other vehicle" column in the table (Marginal 220 500) will lead to questions on acceptance testing for type approval of these "other vehicles". Since these vehicles do not need to comply with the current requirements of Appendix B2, we propose to exclude them from the table under 13.2.1. Thus, the restructured ADR will adhere closely to the present ADR..

| TECHNICAL SPECIFICATIONS | | VEHICLE | | | | | REMARKS |
|--------------------------|---|----------|----------|----------|----------|----------|----------------|
| | | EX/II | EX/III | AT | FL | OX | |
| 13.2.2 | ELECTRICAL EQUIPMENT | | | | | | |
| 13.2.2.2 | wiring | | X | X | X | X | a) for AT only |
| 13.2.2.3 | battery master switch | | X | | X | | |
| 13.2.2.4 | batteries | X | X | | X | | |
| 13.2.2.5 | tachographs | | X | | X | | |
| 13.2.2.6 | permanently energized installation | | X | | X | | |
| 13.2.2.7 | electrical installation at the rear cab | | X | | X | | |
| 13.2.3 | BRAKING | | | | | | |
| 13.2.3.1 | general provisions | X | X | X | X | X | |
| 13.2.3.2 | anti lock braking system | | X | X | X | X | b), d) |
| 13.2.3.3 | endurance braking system | | X | X | X | X | c), d) |
| 13.2.3.4.1 | emergency braking device for trailers | X | | | | | |
| 13.2.3.4.2 | emergency braking device for trailers | | X | | | | |
| 13.2.4 | FIRE RISKS | | | | | | |
| 13.2.4.1 | cab : material | X | X | | | | |
| 13.2.4.2 | cab : thermal shield | | | | | X | |
| 13.2.4.3 | fuel tanks | X | X | | X | X | |
| 13.2.4.4 | engine | X | X | | X | X | |
| 13.2.4.5 | exhaust system | X | X | | X | | |
| 13.2.4.6 | endurance braking | | X | X | X | X | |
| 13.2.4.7.1 | combustion heaters | X | X | X | X | X | e) |
| 13.2.4.7.3 | combustion heaters | | | | X | | |
| 13.2.4.7.6 | combustion heaters | X | X | | | | |
| 13.2.5 | SPEED LIMITATION | X | X | X | X | X | f) |
| 13.2.6 | COUPLING DEVICE | X | X | | | | |

13.2.3 Braking equipment

13.2.3.1 General provisions

In addition ... **all relevant requirements of ECE Regulation N° 13 (with the exception of Annex 5) or of Directive 71/320/EEC^{4/} as amended, including transitional provisions.**

^{4/}ECE Regulation N° 13 (Uniform provisions concerning the approval of vehicles of categories M, N and O with regard to braking) **annexed to the Agreement concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipments and parts which can be fitted and/or used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions (1958 Agreement, as amended).**

Directive 71/320/EEC (originally published in the European Community Official Journal N° L202 dated 6.9.1971) as amended.

Justification :

In order to have this text consistant and in line with current practice, we propose to exclude compliance with Annex 5 of ECE Regulation N° 13 from the general provisions on braking. Indeed, compliance with Annex 5 is not required in 13.2.3.1 as it is mentioned :

"In addition to the following technical provisions ..." But the last version of ECE Regulation N° 13 includes "the following provisions" of Annex 5. It is then necessary to explicitly exclude them in the general provisions.

At the time of the last WP15 meeting, agreement has been reached on the possibility of using the Geneva ECE Regulation or the Brussels EC Directive without discrimination, bearing in mind their dates of application. It should be understood that acceptance of the Regulation for testing vehicles in general (and according to braking regulation in particular) involves acceptance of the transitional dates of application. Indeed, the ECE Regulations and EC Directives provide for transitional provisions with the following dates of application :

- a) the date as from which no country shall refuse an application for approval submitted in accordance with the corresponding amendments (anticipating the mandatory application date)*
- b) the date as from which a country shall grant approval only if the vehicle type satisfies the required amendments*
- c) the date as from which a country may refuse to recognize approvals not granted in accordance with the required amendments.*

The mention "in the most recent amended form" does not provide any additional guarantee. The regulatory EC or ECE transitional provisions take into account technical and administrative constraints of base vehicle manufacturers, an ADR base vehicle being a standard production vehicle with ADR option.

13.2.4.4 Engine

The engine propelling the vehicle shall be so equipped and situated to avoid any danger to the load trough heating or ignition. In the case of EX/II and EX/III vehicles the engine shall be of compression-ignition construction and be placed forward of the front wall of the load compartment. It may nevertheless be placed under the load compartment provided this is done in such a way that any excess heat does not constitute a hazard to the load by raising the temperature on the inner surface of the load compartment above 80°C.

13.2.4.5 Exhaust system

The exhaust system as well as the exhaust pipes shall be so directed or protected to avoid any danger to the load through heating or ignition. Parts of the exhaust system situated directly below the fuel tank (diesel) shall have a clearance of at least 100 mm or be protected by a thermal shield. ~~The exhaust system of EX/II or EX/III vehicles shall be so constructed and situated that any excess heat shall not constitute a hazard to the load by raising the temperature on the inner surface of the load compartment above 80°C.~~

Justification :

The existing paragraphs 13.2.4.4 and 13.2.4.5 are mixing requirements for base vehicles and requirements which can only be verified on complete or completed vehicles. Those specifications which can only be verified on a complete or completed vehicle should be deleted from the base vehicle requirements and identified as applicable only to a complete or completed vehicle. It should also be clarified that special provisions for bodybuilder may also be applied in order to meet the temperature requirement for the load compartment. As only the bodybuilder has the possibility to verify compliance, this is where the overall responsibility for this requirement should be. By this proposed change it is possible to maintain the agreed performance requirements and allocate them to the appropriate place in the text.

CHAPTER 13.3**ADDITIONAL REQUIREMENTS CONCERNING
COMPLETE VEHICLES OR COMPLETED VEHICLES**

Renumber chapter 13.3 to chapter 13.7 as sub-chapter 13.3.1 to 13.3.5

Justification :

In order to be more consistent, we suggest that chapters 13.3 to 13.7 be grouped in a chapter 13.3 "additional requirements for complete vehicles or completed vehicles" and renumbered as sub-chapters in chapter 13.3.

13.3.1 Additional requirements concerning the construction of vehicle bodies (EX/II and EX/III)

13.3.1.5 (new) Load compartment and engine

The engine of the vehicle may be placed under the load compartment provided this and other installations are done in such a way that any excess heat does not constitute a hazard to the load by raising the temperature on the inner surface of the load compartment above 80°C.

13.3.1.6 (new) Load compartment and exhaust system

The exhaust system of EX/II and EX/III vehicles or other parts of these complete or completed vehicles shall be so constructed and situated that any excess heat shall not constitute a hazard to the load by raising the temperature on the inner surface of the load compartment above 80°C.

Justification :

See the paragraph 13.2.4.4 and 13.2.4.5 above.
