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Working Party on the Transport
of Dangerous Goods

**REPORT OF THE WORKING PARTY ON ITS
SEVENTY-FOURTH SESSION**

(19-23 May 2003)

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ATTENDANCE

1. The Working Party on the Transport of Dangerous Goods held its seventy-fourth session from 19 to 23 May 2003 with Mr. J. Franco (Portugal) as Chairman and Mrs. A. Roumier (France) as Vice-Chairman. Representatives of the following countries took part in its work: Austria; Belgium; Bulgaria; Croatia; Czech Republic; Denmark; Estonia; Finland; France; Germany; Hungary; Ireland; Italy; Latvia; Liechtenstein; Netherlands; Norway; Poland; Portugal; Russian Federation; Slovakia; Slovenia; Spain; Sweden; Switzerland; United Kingdom. The intergovernmental organization, International Organization for International Carriage by Rail (OTIF), was represented along with the following non-governmental organizations: European Liquefied Petroleum Gas Association (AEGPL); International Association of the Soap, Detergent and Maintenance Products Industry (AISE); Liaison Committee of Coachwork and Trailer Builders (CLCCR); European Association of Automotive Suppliers (CLEPA); European Conference of Fuel Distributors (CENCC); European Chemical Industry Council (CEFIC); International Federation of Freight Forwarders Associations (FIATA); International Organization of Motor Vehicle Manufacturers (OICA); International Road Transport Union (IRU).

ADOPTION OF THE AGENDA

Document: TRANS/WP.15/173

Informal documents: INF.1 and INF.2

2. The Working Party adopted the provisional agenda prepared by the secretariat, as amended by informal document INF.2. CLEPA withdrew document TRANS/WP.15/2003/13.

STATUS OF THE EUROPEAN AGREEMENT CONCERNING THE INTERNATIONAL CARRIAGE OF DANGEROUS GOODS BY ROAD (ADR) AND RELATED ISSUES

Status of the Agreement

Informal document: INF.12 (Secretariat)

3. The Working Party noted that ADR still had 38 Contracting Parties.

4. The amendments to ADR proposed by France (depository notification C.N.1345.2002.TREATIES-2 of 27 December 2002) were deemed to have been accepted and would effectively enter into force on 27 June 2003 (depository notification C.N.389.2003.TREATIES-1 of 15 May 2003).

5. The Working Party examined the list of competent authorities (INF.12).

6. The secretariat said that only Austria had submitted a notification in accordance with 1.8.4 which provided for the notification of the addresses of all the competent authorities and bodies according to national law for the implementation of ADR.

7. The Working Party considered that it was necessary to have a list indicating at least the main competent authority. Delegations were invited to provide the secretariat as far as possible with all the information required in 1.8.4, or at least a reference to a web site where that information was available.

Protocol of amendment of 1993

8. The Working Party deplored the fact that there were still 12 countries which had not deposited the appropriate legal instrument (Azerbaijan, Belarus, Bosnia and Herzegovina, Croatia, Germany, Greece, Kazakhstan, Morocco, the former Yugoslav Republic of Macedonia, Republic of Moldova, Serbia and Montenegro and Ukraine), thereby preventing the Protocol from entering into force.

9. The representatives of Germany and Croatia said that the procedures were in progress in their countries.

10. The Working Party reiterated its request that all Contracting Parties should take the necessary steps for the accession of their countries.

Special agreements

Informal document: INF.11 (Secretariat)

11. The Working Party took note of the list of multilateral agreements updated by the secretariat (INF.11).

12. The Working Party's attention was drawn to M100 which had been re-established by the secretariat at the request of Germany and would remain in force until 31 December 2004 unless revoked by the signatory States before that date.

13. A number of delegations asked Norway to submit a new proposal to the Joint Meeting to permit the transport of lighters under cover of the provisions of Chapter 3.4.

14. On the subject of M129 it was noted that the agreement was no longer required after 27 June 2003 (the date of its entry into force) and that it could therefore lapse on that date.

15. The Working Party noted that Germany would submit a new multilateral agreement concerning the lists of aquatic pollutants before M80 expired, pending the entry into force of the new criteria for the classification of these pollutants.

Notifications in accordance with Chapter 1.9

Informal document: INF.10 (Secretariat)

16. The Working Party took note of the list recapitulating the notifications transmitted to the secretariat (INF.10), and some necessary corrections were indicated.

17. The secretariat was invited to remind all Contracting Parties of their notification obligations under 1.9.4.

INTERPRETATION OF THE EUROPEAN AGREEMENT CONCERNING THE INTERNATIONAL CARRIAGE OF DANGEROUS GOODS BY ROAD (ADR)

Transitional provisions of 1.6.5.6 concerning extinguishers

Document: TRANS/WP.1/2003/3 (Switzerland)

Informal document: INF.17 (Norway)

18. Although some delegations would have liked to apply the provisions of the new text of 8.1.4 to all vehicles registered after 30 June 2003, the Working Party confirmed by a majority vote that the wording of 1.6.5.6. was correct and in line with the compromise solution reached by the Working Party when the revised provisions were adopted, to the effect that the transitional provision valid up to 31 December 2007 applied to all vehicles, whatever their date of registration.

19. The representative of Belgium recalled that extinguishers were not currently subject to an obligatory periodic inspection in Belgium, but that they had a maximum useful life of five years. A five-year transitional period would therefore be necessary to establish the new system.

20. The representative of Norway, in association with the representatives of Germany and Sweden, expressed deep disappointment, considering that a five-year transitional period was much too long and that improved safety would have been possible as from the present time, at least for new vehicles.

Interpretation of 1.1.3.6 in cases in which dangerous goods packed in limited quantities are loaded together with other dangerous goods

Informal document: INF.4 (Spain)

21. The Working Party confirmed that, in accordance with 3.4.3 and 3.4.4 of ADR, only the provisions contained in these paragraphs applied to dangerous goods packed in limited quantities. No mention of such goods was therefore needed in the transport document. Similarly, in accordance with 1.1.3.6.5, they should not be taken into account in the calculations for the purpose of applying 1.1.3.6.

Interpretation of “loading and unloading sites” in 7.5.1

Informal document: INF.9 (Belgium)

22. The question raised by the representative of Belgium as to whether 7.5.1 applied to loading and unloading terminals for containers and tank-containers gave rise to conflicting views. Some representatives considered that 7.5.1 had been designed for tanks, others that Chapter 7.5 only applied to vehicles and containers, and still others that neither containers nor tank-containers were intended in 7.5.1.

23. The representative of Spain reminded the meeting that these provisions had been introduced into ADR following a proposal from a working group meeting in Spain in January 1993, which had essentially concerned the regulations applicable to the loading and unloading of tank-vehicles (TRANS/WP.15/R.215 and TRANS/WP.15/132, paras. 16-24). He suggested that an error of transcription might have occurred during the restructuring.

24. At the request of the Chairman, a member of the secretariat said that 7.5.1 replicated the exact wording of marginal 10 400 of the 1997 ADR, as adopted following the adoption of the proposals of the working group on tank-vehicles. It could not be deduced from the wording of marginal 10 400 that it applied only to tank-vehicles. It might be supposed on the contrary, even in the absence of definitions, that the terms “loading” and “unloading” could be taken in the broad sense, namely, loading/unloading of dangerous goods in a vehicle (including tank-vehicles) or from a container or tank-container on a vehicle. It was furthermore clearly specified in 10 414 (2) and 10 419 that all provisions concerning loading, unloading, handling and stowage of dangerous goods in vehicles concerned loading/unloading/stowage and handling in containers, and loading, stowage and handling of containers on a vehicle and their unloading.

25. It was pointed out that the obligations of terminal operators were not very clearly defined in Chapter 1.4.

26. Although section 7.5.1 of RID differed from that of ADR, it was suggested that as this issue was of concern in multimodal transport the representative of Belgium should submit a document to the Joint Meeting.

PROPOSALS FOR AMENDMENTS TO ANNEXES A AND B OF ADR

Amendments from the RID/ADR/ADN Joint Meeting

Document: TRANS/WP.15/2003/7 (Secretariat)

27. The Working Party adopted the proposed amendments resulting from the work of the RID/ADR/ADN Joint Meeting in 2002 with some drafting corrections (see annex).

Paragraphs 1.1.4.2 and 5.3.1.5.2

Document: TRANS/WP.15/2003/5 (FIATA)

28. Opinions differed concerning the two alternative proposals for amending 1.1.4.2 or 5.3.1.5.2, and it was noted that an amendment to 1.1.4.2 would also concern RID. The representative of FIATA was invited to give the matter further thought and to submit a new proposal to the RID/ADR/ADN Joint Meeting.

Driver training

Documents: TRANS/WP.15/2003/6 and -/Corr.1 (Liechtenstein)

Informal document: INF.20 (Liechtenstein, Austria, Germany, Norway and Poland)

29. Some delegations said that the proposed obligation concerning the training of drivers of vehicles with a permissible maximum mass not exceeding 3.5 tonnes would involve a very large number of drivers and would therefore have considerable economic repercussions; they regretted that the proposal was not accompanied by the usual justifications, backed up by accident statistics, the expected gain in safety and the estimated cost of the measure.

30. Other delegations stressed that training requirements had caused a significant increase in the production cost of the transport of dangerous goods, and that in order to avoid it, the industry was more and more resorting to using vehicles not exceeding 3.5 tonnes, which were increasingly effective in power and speed but fell short of numerous safety requirements.

31. The representative of Italy proposed that the decision on this proposal should be deferred, so as to give Governments time to collect accident statistics and assess safety advantages in relation to cost. After a vote resulting in equal numbers for and against, the proposal was not accepted.

32. The Working Party finally decided to adopt the proposal by Liechtenstein to the effect that all drivers of vehicles carrying dangerous goods, irrespective of the permissible maximum mass of the vehicle, subject to the exemptions set out in 1.1.3, must be trained in accordance with 8.2.1. This measure would take effect on 1 January 2007 at the latest (see annex).

Document: TRANS/WP.15/2003/19 (Germany)

Informal document: INF.21 (Germany)

33. The representative of Spain said that his country would in the near future propose the establishment of a working group in order to improve Chapter 1.3 of ADR.

34. After a long discussion of the alternatives proposed by Germany, the Working Party decided that driver refresher training should take place at five-yearly intervals and that it would last for a total of at least two days, including individual practical exercises. This decision would permit a standard interpretation of the current provisions and thus harmonize the conditions for obtaining the training certificate.

Paragraphs 5.4.3.1 (s) and 5.4.3.8

Informal document: INF.3 (Austria)

35. The Working Party confirmed that in cases where the instructions in writing applied to a group of substances, it was necessary to give the class to which they belonged and the relevant United Nations numbers in addition to the name of the group of substances. The proposal to clarify the text was accepted in order to avoid any problems of interpretation; the secretariat offered to include the amendments in a corrigendum (see annex).

36. The representative of Norway said that the transport document referred to labels and not to classes and that this should probably be done at this point. He said that he would submit a proposal along those lines to the Working Party at its next session.

Paragraph 7.5.10

Informal document: INF.13 (Secretariat)

37. The Working Party noted that there was a contradiction between 7.5.10 and 6.8.2.1.27 and therefore accepted the correction to 7.5.10, whereby tank-vehicles should also be earthed when flammable gases or substances of UN No. 1361 were filled or discharged (see annex).

38. It was noted that 7.5.10 does not exist in RID and that the provision for earthing in 6.8.2.1.27 does not exist for tank wagons; the secretariat was asked to bring the matter to the attention of the RID/ADR/ADN Joint Meeting for confirmation.

Construction and approval of vehicles

Documents: TRANS/WP.15/2003/1 (Secretariat)
TRANS/WP.15/2003/8 (Secretariat)

39. These documents contained the consolidated texts of Chapters 9.1, 9.2 and 9.3, in accordance with the decisions taken by the Working Party at its last session.

Document: TRANS/WP.15/2003/2 (Belgium)

40. Certain delegations shared Belgium's opinion that there was a need to improve the safety of the transport of dangerous goods by establishing requirements for the construction of vehicle bodies, in particular to prevent loss of packages and improve load stability in vehicles. Other delegations considered that it would be appropriate to provide for more detailed provisions for stowage of the load in vehicles and containers.

41. Other delegations considered that the problem was not specific to dangerous goods, and that it would be more appropriate to provide a regulatory framework for load stowage, whatever the goods carried. In this respect it was mentioned that both the European Union and the CEN working group were working on this matter.

42. It was recalled that poor stowage of goods could lead to serious consequences, particularly in the case of dangerous goods; that had led UNECE, the International Maritime Organization and the International Labour Organization to draw up joint recommendations, published as the "IMO/ILO/UNECE Guidelines for Packing of Cargo Transport Units". It was also for that reason that the IMDG Code required a container packing certificate or a vehicle freight declaration certifying that the dangerous goods had been loaded in accordance with sound practice.

43. After these discussions, the representative of Belgium said that he would prepare a more specific proposal for the next session.

Document: TRANS/WP.15/2003/10 (Finland)

44. After a brief discussion, the representative of Finland withdrew her proposal since the requirement that the drawing vehicle of a trailer or semi-trailer must be provided with a certificate of approval already appeared in 9.1.2.3.

Document: TRANS/WP.15/2003/11 (France)

Informal document: INF.19 (Secretariat)

45. The first sentence of the proposal to refer to Annex 5 of ECE Regulation No. 13 in 9.1.2.1 rather than in 9.2.3.1.2 was adopted on the proposal of the Netherlands, with the insertion of the word “relevant” before “requirements” (see annex).

46. The second proposal, for drafting changes to 9.1.2.2, was adopted as amended by informal document INF.19 (see annex).

47. The third proposal, concerning drafting changes to 9.1.3, was adopted with some amendments (see annex).

Electrical circuits

Document: TRANS/WP.15/2003/12 (CLEPA)

Informal document: INF.22 (CLEPA)

48. The Working Party adopted the proposals concerning 9.2.2.3.1, 9.2.2.3.2 and 9.2.2.5.1 with some changes (see annex).

49. With reference to the addition of paragraph (c) to 9.2.2.5.1, since OICA had requested more time to study the proposal, and since the decision had been taken with a large number of abstentions, it was agreed that paragraph (c) should be put in square brackets, for confirmation at the next session (see annex).

50. It was agreed that the English expression “as close as practicable” should be translated in French as “aussi près que possible”, on the understanding that the idea of practicability should be taken into account in interpreting the French expression.

EX/III vehicles

Document: TRANS/WP.15/2003/4 (Norway)

51. In response to a question from the representative of Finland, the representative of Norway confirmed that the existence of a continuous front wall in the loading compartment implied that this wall must not have any windows.

52. Several delegations stressed the difficulties of applying existing paragraph 9.3.4 and said that large transport companies were using EX/III vehicles less and less because they were proving too expensive, in particular because of this provision. Some delegates wondered if it

was really necessary to provide for these vehicles since no equivalent heat insulation provision was anticipated for railway wagons. Others wondered if there should not be a return to more pragmatic provisions such as those in force up to 31 December 1994 (marginal 11 204 (3) (a)), possibly in association with a reference to standard EN 13501-1:2002 proposed by Norway.

53. After considering the matter in detail, the Working Party noted that 7.5.1 settled the question of containers and that there was therefore no need for provisions in 7.2.5, V2.

54. It was finally decided to adopt a revised text of 9.3.4.2 provisionally and put it in square brackets; a final decision would be taken at the next session once the standard EN 13 501-1, which had been distributed during the session, had been checked.

Retroreflective strip marking for vehicles

Informal document: INF.7 (CLEPA)

55. It was recalled that a similar proposal by the European Commission, requiring that vehicles intended for the carriage of dangerous goods should be marked with retroreflective strips, had been rejected three years previously.

56. Although some delegations had supported the principle of the proposal, most delegations were of the opinion that the proposed requirement concerned all goods vehicles in general. They considered that the proposal was not backed by statistics or other convincing evidence showing that this measure would significantly increase the safety of the transport of dangerous goods and that, as a result, the question should be settled in the context of regulations applicable to road safety in general rather than within ADR. It was, moreover, possible for each State to apply the requirements of Regulations Nos. 48 and 104 of the 1958 Agreement to vehicles registered in their territory.

Stability of tank-vehicles

Informal document: INF.14 (Italy)

57. The Government of Italy proposed to defer by 12 months, by means of a multilateral agreement, the implementation of ECE Regulation No. 111 concerning the stability of tank-vehicles, currently scheduled for new vehicles registered for the first time as from 1 July 2003.

58. Four delegations said that, as in the case of Italy, it would be difficult to implement the Regulation as from 1 July 2003 because they did not have sufficient testing stations or because they considered that ECE Regulation No. 111 did not contain sufficient reference criteria to test for adequate stability, whatever the vehicle. Many vehicles were furthermore in the process of assembly, and tank constructors had not received sufficient information from base vehicle builders to be able to guarantee that the complete vehicle would be in conformity with ECE Regulation No. 111 by 1 July 2003.

59. Another four delegations said that they opposed postponing implementation since that would particularly penalize constructors who had made efforts to comply with the standards by the required date.

Vehicle stability control systems

Informal document: INF.16 (Germany)

60. The representative of Germany informed the Working Party that a new regulation concerning vehicle stability control systems would be proposed to the WP.29 Working Party, and that once finalized it would be proposed that the Working Party should study the means for its application to ADR vehicles.

61. The Working Party supported the preparation of the new regulation.

Chapters 9.2 and 9.3

Document: TRANS/WP.15/2003/8 (Secretariat)

62. The Working Party considered the remaining texts in square brackets of this document. The decisions taken can be found in the annex to this report.

63. Several delegations noted that it was difficult to interpret the remarks accompanying 9.2.3.1 in the table in 9.2.1 for anti-lock braking devices and endurance braking devices, in that the provisions concerning such devices had been replaced in 9.2.3.1 by references to ECE Regulation No. 13.

64. The secretariat would propose an adapted version of this part of the table for the next session.

65. In 9.2.4.7.1, the Working Party noted with concern that the European Commission had opposed the adoption of the ECE draft Regulation with regard to the type approval of a heating system and of a vehicle with regard to its heating system, since the corresponding European Directive 2001/56/EC was in the process of amendment. That meant that, unless the amendment in question was adopted rapidly, only Directive 2001/56/EC as it stood could be used as a reference in ADR 2005 and that there would be no corresponding reference to an ECE Regulation, to the detriment of the Contracting Parties to ADR which were not concerned by European directives. The Working Party therefore drew the attention of the WP.29 World Forum and the European Commission to this problem and requested that efforts should be made to adopt an ECE Regulation in 2003 so that reference could be made to it in ADR 2005.

SAFETY IN ROAD TUNNELS

Documents: TRANS/AC.7/9, -/Add.1 and -/Corr.1 (Recommendations of the Ad Hoc Multidisciplinary Group of Experts on Safety in (Road) Tunnels)

Informal documents: INF.15 (Report of the Feldkirch informal working group, submitted by Germany)
INF.18 (Switzerland)
INF.24 (Secretariat)

66. The representative of Austria, who had chaired the informal working group which had met at his invitation in Feldkirch from 12 to 14 May 2003 (INF.15), introduced its report. He said that the group had been able to draw up a draft table for ADR dangerous goods under A, B, C, D or E groupings in terms of the criteria for danger groupings for tunnels defined by OECD/PIARC, and to define the provisions which could be included in Chapter 1.9, relating to the restrictions for tunnels for which 1.9.3 (a) provided. He stressed that problems remained to be solved. The OECD/PIARC work on risk analyses had not been completed, which meant that for the time being tunnel managers could not determine which goods grouping should be banned in a tunnel in terms of the characteristics of the tunnel and other socio-economic or environmental factors which should be taken into account in the decision-making process. It would also be necessary to provide the Working Party on Road Safety with a system of signs and signals to be placed at the entrance to tunnels in order to be able to identify permitted or banned groupings.

67. The Working Party welcomed the progress made by the informal group, and many of the delegations expressed their approval in principle of the results obtained, although they might possibly have to be refined, for example, with reference to quantities of explosives, quantities to be taken into account for tanks or IBCs, or others.

68. The representative of IRU said that his organization was in favour of these new provisions which should make it possible to harmonize the current extremely varied conditions of passage through tunnels and thus facilitate international transport. He hoped that the information on conditions of tunnel travel in each country would be transmitted to the UNECE secretariat in accordance with 1.9.4 and made available on the secretariat's web site.

69. The representative of Switzerland proposed numerous changes in document INF. 18 with a view to arriving at a harmonized system for tunnels. He proposed that WP.15:

- should replace the reference to 1.1.3.6 as it currently appeared in informal document INF. 15 by a table of permitted maximum quantities which would take account of the risks specific to tunnels;
- should introduce provisions concerning dangerous goods currently exempted in ADR, documentation, marking of vehicles and driver training; and
- should provide for the possibility of derogations from the model proposed.

70. He also hoped that it would be possible to ban all dangerous goods completely, whatever the quantity carried. He moreover considered that each State should be able to keep its prerogative of regulating as it saw fit the passage through tunnels of vehicles carrying dangerous goods, and that the text proposed in 1.9.4 contradicted 1.9.2 and exceeded the scope of the current provisions of 1.9.2.

71. Some delegations considered that there should be provisions to enable easy and efficient monitoring, for example, marking of the vehicle, checking of documentation, or some other form.

72. Several delegations stressed that in order for the system to function, each State and tunnel manager must agree to base decisions concerning prohibition/authorization on this system. They feared that if that were not the case, all the work done for ADR would have served no purpose. It was, however, suggested that the introduction of such provisions in ADR could gradually lead tunnel managers to accede to the system, which could be improved with the experience of the passing years.

73. In informal document INF. 24 the secretariat proposed to supplement the grouping system drawn up by the informal working group with a system of codes which could be attributed to each of the dangerous goods in Table A of Chapter 3.2, thus enabling it to be easily ascertained to which grouping a load belonged and which tunnels could be used. This would facilitate the practical implementation of the system, particularly for vehicle drivers and the supervisory authorities.

74. A member of the secretariat also explained that the ongoing process within the Working Party on Road Safety to amend the 1968 Conventions on Road Traffic and Road Signs and Signals and the 1971 European Agreements supplementing them was in its final phase and should be completed by September 2003. It was too late to introduce proposals for new signs and it would be preferable to use the possibilities provided by existing signs to indicate restrictions concerning goods groupings in tunnels.

75. It was pointed out that a panel indicating goods banned under national regulations could be attached to sign C, 3^h indicating no entry for vehicles carrying dangerous goods, and could possibly indicate the restricted grouping (from B to E).

76. The Working Party finally decided to adopt provisionally the texts proposed by the informal group and the approach suggested by the secretariat. The secretariat was asked to prepare a proposal, in consultation with the members of the informal group, encapsulating the results of the latter's work, the coding for the dangerous goods and the signs at the entrance to tunnels, for discussion at the next session.

SECURITY IN THE TRANSPORT OF DANGEROUS GOODS

Informal documents: INF.5 (Belgium)
INF.23 (Secretariat)

77. The Working Party took note of the provisional result of the work of the RID/ADR/ADN Joint Meeting on the subject (INF.23), and in particular the decision to group security measures in a chapter in Part I.

78. Some delegations were in favour of the proposal by Belgium that all high-consequence dangerous goods should be subject to the surveillance requirements of Chapter 8.4 and that this chapter should be transferred to Part I.

79. It was, however, recalled that, in accordance with the logic of the restructuring, the requirements concerning the driver of a vehicle appeared in Part 8. Some delegations also considered that although the surveillance provisions of Chapter 8.4 improved security, their prime purpose was the safety of vehicles on the public highway, while the surveillance

provisions of the new chapter on security were essentially concerned with securing temporary storage sites and terminals, vehicle depots, berthing areas for vessels and marshalling yards, which should not be accessible to the public.

80. The representatives of Norway, Austria and France wondered whether it was appropriate to keep the old provisions of Chapter 8.4 since they interfered with domestic legislation which established parking prohibitions in accordance with a variety of criteria and could therefore put a driver in a controversial situation in which his responsibility was engaged.

81. It was agreed that the Working Party would come back to these questions at its next session. Delegations wishing to amend these provisions were requested to submit proposals in writing.

PROGRAMME OF WORK

82. The Working Party noted that the Joint Meeting had requested an additional week of meetings in 2003 in order to be able to complete the preparation of the amendments to RID/ADR/ADN which were to enter into force on 1 January 2005, particularly those concerning harmonization with the United Nations Recommendations, the new provisions concerning safety advisers and security provisions.

83. The Working Party accepted the solution proposed by the Joint Meeting to exchange the March 2004 session of the Joint Meeting for the November 2003 session of WP. 15. A member of the secretariat said that this change would upset the secretariat's work plan completely and that it would be necessary to modify the meeting dates to ensure the balance of the intervals between dependent meetings. The new timetable would be communicated to the Working Party as soon as the availability of rooms and interpreters had been checked.

84. The agenda items for the next session would remain the same as for the current session.

ANY OTHER BUSINESS

Informal documents: INF.6 and INF.6/Add.1 (Germany)
INF.8 (IRU)

85. The Working Party noted that an informal working group on documentation in a transport chain comprising land and sea or air modes would be held in Hamburg on 10 and 11 June at the invitation of the Government of Germany. A meeting of an informal group on safety advisers would be organized by IRU in Geneva from 9 to 11 July 2003.

Informal document: INF.25 (Secretariat)

86. The Working Party noted that the Association of South-East Asian Nations (ASEAN) had adopted Protocol No. 9 on the transport of dangerous goods, supplementing and forming an integral part of the ASEAN Framework Agreement on the Facilitation of Goods in Transit. This Protocol provided that Contracting Parties should adopt the provisions of the United Nations Model Regulations and ADR, in particular for classification, packing and labelling, the marking

of vehicles and packing methods, transport documents, training and precautions against fire and explosions. The spirit of the Protocol was, however, different from that of the ADR Agreement proper, in that carriers of dangerous goods in transit had to obtain a permit from all the competent authorities of the countries passed through.

87. The Working Party welcomed the influence its work had had and hoped that the countries in question would one day accede to ADR and thus benefit from simplified conditions of international transport.

ADOPTION OF THE REPORT

88. The Working Party adopted the report of its seventy-fourth session and its annex on the basis of a draft prepared by the secretariat.

Annex

Texts adopted

Chapter 1.6 Add a new [1.6.1.6] to read as follows:

“1.6.1.6 The requirements of 8.2.1 are applicable to drivers of vehicles with a permissible maximum mass not exceeding 3.5 tonnes as from 1 January 2007. This transitional provision does not apply to drivers referred to in 8.2.1.3 and 8.2.1.4.”

(*Ref. doc.: INF.20 as amended*)

Document TRANS/WP.15/2003/7 adopted with the following corrections:

- 2.1.3.4.1 The amendment does not concern the English version.
- 2.1.3.4.2 Replace “Insert” by “Add”.
- 3.2 In the table, for UN Nos. 2912 and 2913 insert “Add” before “2VV16” and “VV17” in the column under the heading “Amendment”.
- 4.1.4.1 In the table, correct the titles of the standards as follows:
- For EN 1919:2000: “Transportable gas cylinders. Cylinders for gases (excluding acetylene and LPG). Inspection at time of filling”.
- For EN 1920:2000: “Transportable gas cylinders. Cylinders for compressed gases (excluding acetylene). Inspection at time of filling”.
- For EN 12754:2001: “Transportable gas cylinders. Cylinders for dissolved acetylene. Inspection at time of filling”.
- 4.2.4.3 The amendment to special provision TP13 refers to paragraph 4.2.5.3 instead of 4.2.4.3.
- 6.8.3.4.6 Amendment, read: “Add the following sentence at the end of the current text after subparagraphs (a) and (b):”.
- 6.8.3.4.9 First indent, replace “gases dissolved under pressure” by “dissolved gases”.
Second indent: does not concern the English text.
- 7.3.3 VV15 First paragraph, delete “/in closed wagons, movable-roof wagons, sheeted open wagons, in closed containers or sheeted large containers”;
Second paragraph, delete “/wagons or containers”.
- VV17 Replace “SCO-1” by “SCO-I”.

(*Ref. doc.: INF.13*)

7.5.10 Beginning of the paragraph, amend to read:

“In the case of flammable gases, or liquids with a flash-point of 61° C or below, or UN No. 1361, carbon or carbon black, packing group II, a good electrical connection ...” (*remainder unchanged*)

(*Ref. doc.: INF.3*)

5.4.3.1 (a) Amend to read:

“(a) The following details concerning the goods for which these instructions are intended or applicable:

- the name of the substances or article or group of goods;
- the Class;
- the UN number, or for a group of goods, the UN numbers.”.

5.4.3.8 First indent under “LOAD”, amend as follows:

“Mention of the following details concerning the goods for which these instructions are intended or applicable:

- the name of the substance or article, or the name of the group of goods presenting the same dangers;
- the Class; and
- the UN number or, for a group of goods, the UN numbers.”.

Chapter 8.2

(*Ref. doc.: INF.21*)

8.2.1.1 Beginning, amend to read:

“Drivers of vehicles carrying dangerous goods shall hold a certificate ...”

8.2.1.2 Beginning, amend to read:

“Drivers of vehicles carrying dangerous goods shall attend ...”

8.2.1.4 Delete:

“Irrespective of the permissible maximum mass of the vehicle,”

8.2.3 Heading, amend to read:

“Training of persons other than drivers holding a certificate in accordance with 8.2.1, involved in the carriage of dangerous goods by road.”

End of last sentence, amend to read:

“... or shipping agencies and drivers of vehicles other than drivers holding a certificate in accordance with 8.2.1, involved in the carriage of dangerous goods by road.”

Chapter 8.5 Special provision S1(1)(a), delete:

“Irrespective of the permissible maximum mass of the vehicle,”

Special provision S11(1), delete:

“Irrespective of the permissible maximum mass of the vehicle,”

(*Ref. doc.: INF.20*)

8.2.1.5 First sentence, replace “a refresher training course” by “refresher training” and “examinations” by “examination”.

8.2.2.5.1 Amend to read:

“Refresher training undertaken at regular intervals serves the purpose of bringing the drivers’ knowledge up to date; it shall cover new technical, legal and substance-related developments.”

8.2.2.5.2 Replace “courses” by “training”.

8.2.2.5.3 Amend to read:

“The duration of the refresher training including individual practical exercises shall be at least two days.”

8.2.2.5.4 End of the sentence, read: “... shall be permitted on each training day.”

8.2.2.7.3 Replace “courses” by “training”.

8.2.2.7.3.1 Replace “a refresher training course” by “refresher training”.

8.2.2.7.3.3. Beginning, insert “In the examination” and delete “course”.

8.2.2.8.2 Replace “a refresher training course” by “refresher training” and delete “successfully”.

(*Ref. doc.: INF.21*)

Document TRANS/WP.15/2003/1 Adopted with the following amendments:

- 9.1.2.1 Last paragraph, first sentence, replace “requirements of 9.2.3.1.2” by “relevant prescriptions of Annex 5 of ECE Regulation No. 13.”

(Ref. doc.: TRANS/WP.15/2003/11, as amended).

- 9.1.2.2 Amend to read:

“9.1.2.2 ***Requirements for type-approved vehicles***

At the request of the vehicle manufacturer or his duly accredited representative, vehicles subject to ADR approval according to 9.1.2.1 may be type-approved by a competent authority. The relevant technical requirements of Chapter 9.2 shall be considered to be fulfilled if a type approval certificate has been issued by a competent authority in accordance with ECE Regulation No. 105² or Directive 98/91/EC³ provided that the technical requirements of the said Regulation or the said Directive correspond to those of Chapter 9.2 of this Part and provided that no modification of the vehicle alters its validity.

This type approval, granted by the Contracting Party, shall be accepted by the other Contracting Parties as ensuring the conformity of the vehicle when the single vehicle is submitted for inspection for ADR approval.

At the inspection for ADR approval, only those parts of the type-approved incomplete vehicle which have been added or modified in the process of completion shall be inspected for compliance with the applicable requirements of Chapter 9.2.”

(Ref. doc.: TRANS/WP.1/2003/11 as amended by INF.19).

- 9.1.3.1 Last three sentences, delete (“It shall be drawn up ... in English, French or German.”).

- 9.1.3.2 First sentence, replace “the competent authorities” by “the competent authority”.

² Regulation No. 105 (Uniform provisions concerning the approval of vehicles intended for the carriage of dangerous goods with regard to their specific constructional features).

³ Directive 98/91/EC of the European Parliament and of the Council of 14 December 1998 relating to motor vehicles and their trailers intended for the transport of dangerous goods by road and amending Directive 70/156/EEC relating to the type approval of motor vehicles and their trailers (Official Journal of the European Communities No. L 011 of 16.01.1999, p. 0025-0036).

- 9.1.3.3 Insert the following text as the new fifth sentence after “with a pink diagonal stripe.”:

“It is drawn up in the language or one of the languages of the country issuing it. If that language is not English, French or German, the title of the certificate of approval and any remarks under item 11 shall also be drawn up in English, French or German.”

(*Ref. doc.: TRANS/WP.15/2003/11 as amended*).

Document TRANS/WP.15/2003/8 Adopted with the following amendments: crossed-out text is to be deleted and underlined text is to be inserted. The following amendments have also been adopted:

In the title of the Chapter, delete “BASE”.

- 9.2.1 Second indent, remove the square brackets.

In the table:

- Insert an “X” for OX vehicles in the entry for paragraph 9.2.4.2 and delete the row for paragraph 9.2.4.2.1 (*renumbered*).
- In the entry for paragraph 9.2.5, under “comments”, remove the square brackets.
- At the intersection of the entry for 9.2.2.3.1 and the column “comments”, add a new note h as follows:

“^h The last sentence of 9.2.2.3.1 is applicable to vehicles first registered (or which enter into service if registration is not mandatory) after 30 June 2005.”

(*Ref. doc.: INF.22*).

- [9.2.2.3.1 End, add a new sentence to read: “If a single pole switch is used it shall be placed in the supply lead and not in the earth lead.”.]

(*Ref. doc.: TRANS/WP.15/2003/12 as amended*).

- [9.2.2.3.2 End of paragraph, add the following sentence: “If the control device(s) are electrically operated, the circuits of the control device(s) are subject to the requirements of 9.2.2.5.”.]

(*Ref. doc.: TRANS/WP.15/2003/12 as amended*).

[9.2.2.5.1 Add a new subparagraph (c) to read:

“(c) The supply leads for permanently energized equipment shall either comply with the provisions of IEC 60079, part 7 (“Increased safety”) and be protected by a fuse or automatic circuit breaker placed as close to the source of power as practicable or, in the case of “intrinsically safe equipment”, they shall be protected by a safety barrier placed as close to the source of power as practicable.”].

(Ref. doc.: TRANS/WP.15/2003/12 as amended).

9.2.3.1.2 Replace “[3], [5]” by “3” and delete footnote 5.

9.2.4.2.1 *(renumbered)* Delete this paragraph number. (The text remains unchanged).

9.3.2.3 First sentence, insert “of the combustion heater” after “The switch”.

9.3.4.2 Amend to read:

“[9.3.4.2 The body shall be made from heat and flame resistant materials with a minimum thickness of 10 mm. Materials classified as Class B-S₃-d₂ according to standard EN 13501-1:2002 are deemed to fulfil this requirement.

If the material used for the body is metal, the complete inside of the body shall be covered with materials fulfilling the same requirements.]”

(Ref. doc.: TRANS/WP.15/2003/4 as amended).
