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Utredning om införlivande av EU:s besiktningpaket

Sammanfattning

Myndigheten för samhällsskydd och beredskap (MSB) föreslår att ett förtydligande införs i fordonsförordningen (2009:211) för att klargöra att ett annat intervall för periodisk kontrollbesiktning gäller för vissa fordon som ska transportera farligt gods.

Synpunkter på utredningens förslag

Transportstyrelsen föreslår i sin utredning i avsnitt 6.1.7 att intervallet för kontrollbesiktning för bilar och släpvagnar med en totalvikt om högst 3,5 ton ska ändras till intervallet 4+2 år, vilket är det lägsta intervall som tillåts enligt art. 5 i Europaparlamentets och rådets direktiv 2014/45/EU av den 3 april 2014 om periodisk provning av motorfordons och tillhörande släpvagnars trafiksäkerhet och om upphävande av direktiv 2009/40/EG (hädanefter besiktningdirektivet). Transportstyrelsen har därför föreslagit författningsändringar med sådant innehåll i 6 kap. 7 § fordonsförordningen (2009:211).

Europaparlamentets och rådets direktiv 2008/68/EG av den 24 september 2008 om transport av farligt gods på väg, järnväg och inre vattenvägar (hädanefter farligt gods-direktivet) innehåller bestämmelser om fordon som transporterar farligt gods inom eller mellan medlemsstater. Artikel 3 i direktivet hänvisar till Europeiska överenskommelsen om internationell transport av farligt gods på väg (ADR) och slår fast att transporter av farligt gods ska utföras enligt ADR. I Myndigheten för samhällsskydd och beredskaps föreskrifter (MSBFS 2015:1) om transport av farligt gods på väg och i terräng (ADR-S) föreskrivs i avsnitt 9.1.2.3 att EX/II-, EX/III-, FL-, OX- och AT-fordon samt MEMU ska genomgå en årlig teknisk kontroll i registreringslandet, för att säkerställa att de överensstämmer dels med tillämpliga krav i ADR, dels med

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de allmänna säkerhetsbestämmelser (för bromsar, belysning, etc.) som gäller i registreringslandet. Med allmänna säkerhetsbestämmelser åsyftas för svenskt vidkommande de kontroller som regleras genom fordonslagen (2002:574) och föreskrifter meddelade med stöd av denna.

Farligt gods-direktivets regler om ett ettårigt kontrollintervall för fordon som transporterar farligt gods äger företrädare framför besiktningdirektivets bestämmelser om kontrollintervall för alla fordon enligt principen om lex specialis. Detta synsätt bekräftades redan 2011 av Europeiska kommissionens representant vid det 90:onde mötet med UNECE:s arbetsgrupp för transport av farligt gods på väg (se p. 21-24 i bilaga 1). Arbetsgruppens diskussion hade föränletts av frågor som Sverige (genom MSB) hade ställt kring de olika direktivens tillämpningsområde avseende just bestämmelser om kontrollintervall (se bilaga 2). Eftersom det äldre besiktningdirektivet (direktiv 2009/40/EG) redan då var föremål för revidering hade MSB en förhoppning om att dessa frågor skulle tydliggöras i det nya besiktningdirektivet, men så har dessvärre inte skett.

MSB anser mot bakgrund av ovanstående att förhållandet till farligt gods-regelverket, såvitt gäller bestämmelserna om kontrollintervall för periodisk kontrollbesiktning, behöver klargöras i fordonsförordningen. MSB föreslår att ett förtydligande görs i 6 kap. 7 § fordonsförordningen (2009: 211) genom ett nytt andra stycke med följande lydelse: "Ytterligare regler om intervall för periodisk kontrollbesiktning för fordon som avses i första stycket 1 och 2 finns i föreskrifter meddelade med stöd av lagen (2006:263) om transport av farligt gods."

I detta ärende har generaldirektören Helena Lindberg beslutat. Bo Zetterström har varit föredragande. I den slutliga handläggningen har också avdelningschefen Cecilia Nyström, chefsjuristen Key Hedström och enhetschefen Ann-Sofie Eriksson.

Helena Lindberg

Bo Zetterström



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Working Party on the Transport of Dangerous Goods

Report of the Working Party on its ninetieth session

held in Geneva from 3 to 5 May 2011

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I. Attendance

1. The Working Party on the Transport of Dangerous Goods held its ninetieth session from 3 to 5 May 2011 under the chairmanship of Mr. J.A. Franco (Portugal) and the vice-chairmanship of Ms. A. Roumier (France).
2. Representatives from the following countries took part in the session: Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Italy, Latvia, Lithuania, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Serbia, Spain, Sweden, Switzerland, Turkey and United Kingdom.
3. Representatives of South Africa also took part in the session in accordance with paragraph 11 of the terms of reference of the Economic Commission for Europe.
4. The European Union was represented.
5. The following non-governmental organizations were represented: European Chemical Industry Council (CEFIC), European Industrial Gases Association (EIGA), International Association of the Body and Trailer Building Industry (CLCCR), International Federation of Freight Forwarders Associations (FIATA) and International Road Transport Union (IRU).

II. Adoption of the agenda (item 1 of the provisional agenda)

Documents: ECE/TRANS/WP.15/209 and Add.1 (Secretariat)

Informal documents: INF.1 and INF.2 (Secretariat)

6. The Working Party adopted the provisional agenda prepared by the secretariat as amended by informal document INF.2 to take account of informal documents INF.1 to INF.19.

III. Status of the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) and related issues (agenda item 2)

A. Status of the Agreement

Informal document: INF.14 (Secretariat)

7. The Working Party noted with satisfaction that Iceland had acceded to ADR on 24 February 2011 and that consequently ADR had entered into force for that country on 24 March 2011.

B. Protocol of amendment of 1993

8. The Working Party noted that 14 countries (Azerbaijan, Belarus, Bosnia and Herzegovina, Croatia, Iceland, Kazakhstan, Malta, Montenegro, Morocco, Serbia, the former Yugoslav Republic of Macedonia, Tunisia, Turkey and Ukraine) had still not deposited the legal instrument required for the Protocol to enter into force, and encouraged those countries to take the necessary measures to ratify or accede to the Protocol to enable it to enter into effect.

IV. Seventy-third session of the Inland Transport Committee (agenda item 3)

Informal document: INF.16 (Secretariat)

9. The Working Party took note of the draft report of the Inland Transport Committee, in particular of the decisions relating to its work (paragraphs 79–88) and of the conclusions of the round-table discussion on “Transport of dangerous goods: Global and regional dimensions” (see also paragraphs 64 to 73 below).

V. Interpretation of ADR (agenda item 4)

A. Training requirements

Document: ECE/TRANS/WP.15/2011/1 (United Kingdom)

10. The Working Party confirmed that the training of persons involved in the carriage of dangerous goods under Chapter 1.3 was not required for drivers holding a training certificate in accordance with 8.2.2.8.5, nor for safety advisers holding training certificates in accordance with section 1.8.3 for the performance of their duties.

11. The Working Party recognized, however, that drivers of vehicles carrying dangerous goods could be called upon to undergo the training specified in Chapter 1.3 if they performed other duties in their enterprises.

12. The representative of Belgium pointed out that the training under Chapter 1.3 could also be useful to update drivers about ADR amendments entering into force during the period of validity of their certificates, and proposed that paragraph 1.3.2.4 be made applicable as a complement to Chapter 8.2 for driver training.

13. As for the scope of note 4 under 1.3.1, the Working Party agreed that its content was redundant with the provisions of 1.3.1 and that it could be deleted. That would also make it possible to bring the text into line with RID, which did not include that note.

14. The representative of the United Kingdom said that she would submit a proposal at a later session aimed at clarifying that the training under Chapter 1.3 was independent of the training required for drivers and safety advisers, and would study the proposal made by the representative of Belgium regarding the scope of 1.3.2.4.

15. The Working Party also noted a disparity between the French and English versions of note 3 under 1.3.1. It called for the correction of the French version and requested the secretariat to take the steps necessary to publish a corrigendum as soon as possible (see annex I).

B. Orange-coloured marking under 5.3.2.1.6

Informal document: INF.3 (Germany)

16. The Working Party confirmed that ADR 5.3.2.1.6 as currently worded did not exclude transport units composed of vehicles carrying containers.

17. Opinions differed, however, concerning the need for containers to bear the orange-coloured plates required under 5.3.2.1.2, 5.3.2.1.4 and 5.3.2.1.5 when an orange-coloured marking was already displayed at the front and rear of the vehicle. Delegations which

considered that should be the case would have to propose that 5.3.2.1.6 be amended accordingly.

18. Some delegations furthermore pointed out that Chapter 5.3 could, in its current wording, be difficult to read, and that the use of illustrations could be useful.

19. The representative of Germany said that he might submit a proposal at a later session to clarify Chapter 5.3.

C. Permanently energized circuits

Informal document: INF.6 (Sweden)

20. The Working Party confirmed that devices in vehicle cabs containing batteries permitting data or parameter storage when not permanently energized (radios, personal navigation assistants, etc.) did not need to meet the general requirements of standard IEC 60079, parts 0 and 14, or the additional requirements applicable under standard IEC 60079, parts 1, 2, 5, 6, 7, 11, 15 or 18.

D. Frequency of technical inspections

Informal document: INF.7 (Sweden)

21. The Working Party confirmed that ADR required an annual technical inspection to be carried out on all EX/II, EX/III, FL, OX and AT vehicles, regardless of their maximum permissible mass.

22. The representative of the European Union specified that the requirement also applied to vehicles registered in the European Union, notwithstanding the provisions of Directive 2009/40/EC of the European Parliament and of the Council of 6 May 2009 on roadworthiness tests for motor vehicles and trailers, under which the frequency of tests for motor vehicles with a maximum permissible mass not exceeding 3,500 kg was four years after the date on which the vehicle was first used, and thereafter every two years.

23. In accordance with the principle of *lex specialis* applying to European legislation, the provisions of Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods, as amended, took precedence in that case. In addition, under article 5 of Directive 2009/40/EC, member States could bring forward the date for the first compulsory roadworthiness test and shorten the interval between two successive compulsory tests.

24. The Working Party also noted that annexes I and II of Directive 2009/40/EC were currently under review.

E. Indication of tunnel restriction codes in the transport document

Informal document: INF.8 (Sweden)

25. In response to a question by the representative of Sweden, the Working Party recalled that 5.4.1.1.1 (k), as currently worded, required tunnel restriction codes to be entered in the transport document exactly as set out in Table A of Chapter 3.2. Using just part of the code in line with the type of transport used (for example, in tanks or in packagings) was not permitted.

F. Mention of restricted training courses on training certificates

Informal document: INF.9 (France)

26. It was recalled that, under 8.2.1.2 of ADR, in force since 1 January 2011, the competent authorities could approve training courses limited to specific dangerous goods. In that case, the relevant UN numbers could be indicated under point 9 of the training certificate, in line with 8.2.2.8.5.

27. The representative of France asked how to refer to goods when they were classified as n.o.s., which covered other dangerous goods not included in the scope of the training. That was the case, for example, with training courses on the carriage of petroleum products which covered the carriage of bitumen or heavy fuel oils but not the carriage of other goods assigned to UN Nos. 3256, 3257 and 3082.

28. The representative of France and the representative of Belgium were invited to submit a proposed amendment at a future session if they thought it necessary.

G. Information to be indicated in the transport document

Informal document: INF.18 (Turkey)

29. The representative of Turkey submitted a draft training certificate in line with 8.2.2.8.5, in force since 1 January 2011.

30. The Working Party confirmed that use of a bar code as an additional security feature was in line with ADR provisions.

31. The Working Party also confirmed that the certificate number to be indicated under point 1 could consist of figures and letters, in line with the decisions of the competent authority, and that a national identification number could be added to the indication of nationality under point 5.

32. The Working Party also stipulated that, under points 4 and 8, the format for entering the dates indicated in 8.2.2.8.5 must be respected.

H. Use of training certificates consistent with ADR in force up to 31 December 2010

Informal document: INF.10 (France)

33. Under 1.6.1.21 of ADR in force since 1 January 2011, Contracting Parties were authorized to continue until 31 December 2012 to issue training certificates consistent with the model valid up to 31 December 2010.

34. However, the old model certificate had no specific field in which to indicate the goods or classes for which restricted training was applicable, where appropriate, under 8.2.1.2.

35. At the request of the representative of France, the Working Party confirmed that the fourth section of the old certificate could be used for that purpose, deleting the words “for national regulations only” to reflect the fact that restricted training courses were now authorized for international carriage. The goods concerned should be indicated as shown under point 9 of the new model certificate, in line with 8.2.2.8.5 in force since 1 January 2011 (i.e., mentioning the class and/or UN number(s)).

I. Approval of packagings for carriage undertaken by enterprises

Informal document: INF.15 (Finland)

36. The Working Party confirmed that, for carriage undertaken by enterprises which was ancillary to their main activity, it was not compulsory to use approved packagings. However, on-site delivery by other enterprises of goods required for that activity counted as “supply”, and the second paragraph of 1.1.3.1 (c) therefore applied. In that case, approved packagings must be used, and the exemption under 1.1.3.1 (c) was not applicable.

37. Some delegations said that they thought approved packagings might also be required for carriage undertaken by enterprises which was ancillary to their main activity; they would perhaps submit a proposal on that matter in the future.

J. Placarding of containers used exclusively for road transport

Informal document: INF.17 (Portugal)

38. Opinions were divided on whether it was justified in ADR to exempt containers used exclusively for road transport from the provisions on placarding set out in 5.3.1.2 based on the model of multilateral agreement M 218 between Portugal and Spain.

39. Some delegations considered that since the containers were by definition transport units intended for multimodal transport, the provisions on placarding should remain harmonized for the different modes of transport. Any proposal for an amendment should be examined by the RID/ADR/ADN Joint Meeting.

40. Others believed, on the contrary, that if such containers were used exclusively for road transport they could be considered in the same manner as the swap bodies referred to in the note under 5.3.1.2.

41. The representatives of Portugal and Spain indicated that they might put forward an amendment proposal at the next session.

VI. Work of the RID/ADR/ADN Joint Meeting (agenda item 5)

Documents: ECE/TRANS/WP.15/AC.1/120, paragraphs 42 and 43 and annex II (Secretariat)
ECE/TRANS/WP.15/AC.1/122, paragraph 53 (Secretariat)

42. The amendments to Annexes A and B of ADR for entry into force on 1 January 2013, adopted by the Joint Meeting at its autumn 2010 session, were endorsed by the Working Party, with an editorial change to 6.2.3.9.7.3 (b). The Working Party asked the secretariat to transmit the change to the OTIF secretariat for approval by the RID Committee of Experts. The paragraph was left in square brackets as pending. The Working Party noted, with respect to uncleaned medical devices, that the Joint Meeting might once again take up the adopted text, depending on the findings of the Ad Hoc Working Group on the Harmonization of RID/ADR/ADN with the UN Recommendations on the Transport of Dangerous Goods. The text of 2.2.62.1.5 was therefore kept in square brackets. The corrections adopted by the Joint Meeting at its autumn 2010 and spring 2011 sessions would be published in a corrigendum (see annexes I and II).

VII. Proposals for amendments to Annexes A and B of ADR (agenda item 6)

A. Construction and approval of vehicles

Reference to IEC standard 529

Informal document: INF.14 (Netherlands)

43. In response to a question from the representative of the Netherlands concerning the status of IEC standard 529 referred to in 9.2.2.3.3 and 9.2.2.6.3 of ADR and, after checking the International Electrotechnical Commission (IEC) website, a member of the secretariat indicated that the reference numbers of the IEC publications had been changed.

44. As from 1997, all new IEC publications and parts, as well as new editions, revisions and amendments, had been issued with a designation in the 60000 series; however, that did not affect their content. It was thus necessary to add 60000 to the previous base number. IEC standard 529, for instance, was now referenced under the symbol IEC 60529.

45. The Working Party supported the correction of the reference and requested the secretariat to take the necessary steps to publish a corrigendum as soon as possible (see annex I).

B. Miscellaneous proposals

1. Safety in road tunnels

Document: ECE/TRANS/WP.15/2011/2 (Switzerland)

Informal documents: INF.5 (Switzerland)
INF.11 (Netherlands)
INF.19 (Switzerland)

46. Like the representative of the Netherlands, who opposed the proposal of Switzerland for the reasons given in informal document INF.11, some delegations, in particular those representing industry, felt the regulations should remain stable. They considered it better to wait a few years before amending ADR, as Governments could thus establish a system for categorizing tunnels and their signage. ADR could then be amended on the basis of the experience gained.

47. Despite the fact that, in the light of current levels of knowledge, some delegations opposed any restrictions on the circulation in tunnels of dangerous goods in limited quantities, others were prepared to continue discussions on the basis of the proposal put forward by Switzerland.

48. Proposal 2 as contained in the document submitted by Switzerland, when put to the vote, was not adopted.

49. An alternative version that did not refer to the transport document was put to the vote, and it too was not adopted.

50. After discussion, the representative of Switzerland revised proposal 3 so as to prohibit vehicles carrying dangerous goods in limited quantities with an overall gross mass of carried packages exceeding 8 tonnes from accessing category E tunnels, while permitting passage in tunnels of the other categories. The proposal as revised was put to the vote and adopted (see annex II).

51. Consequently, proposal I in the document submitted by Switzerland, aimed at presenting amendments to the Consolidated Resolution on Road Signs (R.E.2) to the Working Party on Road Traffic Safety (WP.1), was recast so that it would read as in informal document INF.19. The new version, put to the vote, was adopted, with some editorial changes (see annex III).

52. The Working Party requested the secretariat to take the necessary steps to forward the proposal in question to WP.1.

2. Fire-fighting equipment

Document: ECE/TRANS/WP.15/2011/3 (United Kingdom)

53. The three alternative proposals submitted by the United Kingdom were put to the vote.

54. Proposal 3, consisting in an editorial revision of existing provisions without any change in the requirements, was adopted.

3. Terminology

Document: ECE/TRANS/WP.15/2011/5 (Sweden)

55. The proposals submitted by Sweden, put to the vote, were not adopted.

4. Orange-coloured plate marking for trailers

Document: ECE/TRANS/WP.15/2011/6 (Sweden and Germany)

56. After discussion, the proposal was amended to clarify the text.

57. The alternative proposed in paragraph 8 of the document from Sweden and Germany, as amended, was put to the vote and was not adopted.

58. The alternative proposed in paragraph 7 of the document from Sweden and Germany, as amended, was put to the vote and was adopted (see annex II).

5. Transitional measure for the use of fire extinguishers

Informal document: INF.4 (Switzerland)

59. The proposal by Switzerland to introduce a transitional measure for the use of fire extinguishers following the updating of references to the EN 3 standards in ADR, in force since 1 January 2011, was adopted, with an amendment removing the reference to a time limit.

60. As the change in question corrected an oversight in the amendments that entered into force on 1 January 2011, the Working Party asked the secretariat to take the steps necessary to publish the addition in a corrigendum (see annex I).

VIII. Road tunnel restrictions for the passage of vehicles (agenda item 7)

61. The Working Party adopted the proposed amendment to ADR aimed at taking limited quantities into consideration in the road tunnel restrictions for the passage of vehicles (see paragraphs 46–52).

IX. Programme of work (agenda item 8)

A. Next session of the Working Party

62. The next session of the Working Party would be held from 8 to 11 November 2011.

63. The agenda items would be the same as at the current meeting, except for the item on the Inland Transport Committee, which would be removed, and an item on elections, which would be added.

B. Outcome of the round table of the Inland Transport Committee

Informal document: INF.16 (Secretariat)

64. A member of the secretariat pointed to the main conclusions of the round table on “Transport of dangerous goods: Global and regional dimensions”, held as part of the seventy-third session of the Inland Transport Committee, and the Working Party noted the developments that were possible in response to the issues raised by the participants in the round table.

1. Multimodal harmonization

65. The representative of Finland said that a study was under way to compare the Regulations concerning the International Transport of Dangerous Goods by Rail (RID) and Annex 2 of the Agreement on International Railway Freight Communications (SMGS). The study could serve as a basis for work aimed at harmonizing the two instruments.

66. Further to a proposal put forward by IRU during the round table, the representative of France said that it might be beneficial to study to what extent portable tanks were used in land transport, and whether their use could be generalized to replace RID/ADR tank-containers. The representative of IRU would forward information on that subject to the RID/ADR/ADN Joint Meeting.

67. The representative of Belgium said that work on that question could help clarify the legal status of tank-containers built in accordance with both systems.

2. Facilitating accession to ADR

68. The Working Party noted the need to adopt tools to facilitate accession to ADR by new countries and to coordinate the various technical assistance and regulatory activities related to accession.

69. In that connection the Working Party asked the secretariat to draft a road map on how to set up the administrative structures required for implementation of ADR. The road map could serve as a basis for the Working Party’s development of recommendations and/or guidelines during the next biennium.

70. Delegations that wished to do so were invited to forward to the secretariat any information they considered useful on that subject.

3. Training in the transport of dangerous goods

71. The Working Party confirmed the needs for training and expertise in the transport of dangerous goods mentioned by some participants in the round table.

72. In the next biennium the Working Party might plan to extend the scope of training for which provision was made by ADR to include the competent authorities, in particular inspection authorities.

73. Within the RID/ADR/ADN Joint Meeting, cooperation might be initiated with other modal bodies in order to study whether it would be of interest to specify certain multimodal aspects in the training provisions contained in RID/ADR/ADN and to broaden the scope of some such provisions to other modes of transport, in particular for the training of safety advisers and persons involved in the transport of dangerous goods.

X. Any other business (agenda item 9)

A. Regulations relating to the transport of dangerous goods in South Africa

74. The representative of South Africa provided the Working Party with background information on regulations relating to the transport of dangerous goods in South Africa. He said in particular that the applicable regulations took up the ADR requirements relating to the construction and approval of vehicles and tank-vehicles.

75. The representative of CEFIC said that CEFIC transport emergency cards (Tremcards) for the transport of dangerous goods were still used in South Africa. With the adoption of the single model of instructions in writing, in accordance with 5.4.3 of ADR, CEFIC no longer updated Tremcards, as that system had been given up in Europe. He invited the representative of South Africa to bring the new ADR single model, which would greatly simplify transport, to the attention of the competent authorities of his country. The representative of South Africa said that a new version of safety instructions for transport already existed in South Africa and had been approved by the competent authority.

B. Dangerous goods at terminals, transshipment points and other temporary storage places

Document: ECE/TRANS/WP.15/2011/4 (Sweden)

76. Several delegations emphasized that even if RID contained provisions relating to emergency plans in marshalling yards, the situation in question was not the same, as the amounts temporarily stored were far less voluminous and their storage sites varied greatly. The emergency plans therefore had to be adapted to numerous local situations and could not be harmonized at the international level.

77. It was also recalled that there were various legal frameworks governing emergency plans, such as Council Directive 96/82/EC of 9 December 1996 on the control of major-accident hazards involving dangerous substances (known as Seveso II), which was currently being revised.

78. The suggestion was made to ask the RID/ADR/ADN Joint Meeting why provisions had been introduced and to take the question up again later, in which case it should instead be raised in the context of non-binding recommendations.

C. Intelligent transport systems

Informal document: INF.12 (Secretariat)

79. The Working Party was informed of the progress made in drawing up a plan to promote intelligent transport systems and of public consultation on the future implementation of such systems and possible participation by ECE. A strategy file containing a background note and a strategic note on intelligent transport systems drawn up with the help of the Italian Government and a partner from the private sector was available on the ECE website at the following address: http://live.unece.org/trans/theme_its.html.

80. Delegations that so desired were invited to take part in the public consultation by forwarding their comments on the draft strategic note to the secretariat, in particular concerning information on the transport of dangerous goods presented in paragraphs 52 to 55 of the draft strategic note.

D. Budget cuts

81. The Working Party noted that budget cuts were being planned at the United Nations for the 2012–2013 budget period, and expressed the wish that such cuts should not have a negative impact on the secretariat's activities in the general field of the transport of dangerous goods, as such activities were not carried out by any other organization.

XI. Adoption of the report (agenda item 10)

82. The Working Party adopted the report on its ninetieth session and its annexes on the basis of a draft drawn up by the secretariat.

Annex I

Corrections to Annex A of ADR as modified by the amendments which entered into force on 1 January 2011 (depository notification C.N.626.2010.TREATIES-4)

Chapter 1.3

1.3.1:

[The correction does not apply to the English text.]

Chapter 1.6

Add the following new transitional measure:

“1.6.1.23 Fire extinguishers constructed before 1 July 2011 in accordance with the requirements of 8.1.4.3 applicable until 31 December 2010 may continue to be used.”

(Reference document: Informal document INF.4, as amended)

Chapter 3.2

3.2.1 Table A:

In the heading row of the table, for Column (7a), for “3.4.6” read “3.4”.

(Reference document: ECE/TRANS/WP.15/AC.1/122, para. 53)

Chapter 3.3

3.3.1 **SP 584:**

Replace the two first indents with the following new indent:

“– it contains not more than 0.5% air in the gaseous state;”

(Reference document: ECE/TRANS/WP.15/AC.1/120, paras. 42 and 43 and ECE/TRANS/WP.15/AC.1/118, annex III)

Chapter 4.1

4.1.3.8.2:

In the note, for “3.4.6” read “3.4.1”.

(Reference document: ECE/TRANS/WP.15/AC.1/122, para. 53)

Chapter 9.2

9.2.2.3.3 and 9.2.2.6.3:

For “IEC Standard 529” read “IEC Standard 60529”.

Annex II

Draft amendments to Annexes A and B of ADR adopted by the Working Party for entry into force on 1 January 2013

Part 1

Chapter 1.2

1.2.1:

Add the following new definition:

“*Liquefied Petroleum Gas (LPG)*’ means a low pressure liquefied gas composed of one or more light hydrocarbons which are assigned to UN Nos. 1011, 1075, 1965, 1969 or 1978 only and which consists mainly of propane, propene, butane, butane isomers, butene with traces of other hydrocarbon gases.

NOTE 1: *Flammable gases assigned to other UN numbers shall not be regarded as LPG.*

NOTE 2: *For UN No. 1075 see NOTE 2 in 2.2.2.3 under 2F/UN No. 1965.”*

(Reference document: ECE/TRANS/WP.15/AC.1/120, annex II)

Chapter 1.9

1.9.5.2.2:

For tunnel category E, at the end, insert:

“and for all dangerous goods in accordance with the provisions of Chapter 3.4 if the quantities carried exceed 8 tonnes (total gross mass) per transport unit.”

1.9.5.3.5.6:

At the end, insert:

“, except when vehicles carrying such goods are marked in accordance with 3.4.13 as defined in 3.4.14.”

(Reference document: ECE/TRANS/WP.15/2011/2, proposal 3, as amended)

1.9.5.3.6:

Insert the following new paragraph at the beginning:

“Tunnel restrictions shall apply to transport units for which an orange-coloured plate marking in accordance with 5.3.2 is required and, for tunnels of category E, they shall apply also to transport units for which a marking in accordance with 3.4.13 is required or carrying containers for which a marking in accordance with 3.4.13 is required.”

(Reference document: Informal document INF.19, as amended)

Part 2

Chapter 2.1

2.1.3.5.3:

Amend the beginning (before the parenthesis) of subparagraph (h) to read as follows:

“(h) Substances of Class 6.1 meeting the inhalation toxicity criteria of packing group I.”

(Reference document: ECE/TRANS/WP.15/AC.1/120, annex II)

Chapter 2.2

2.2.3.1.1:

In note 2, add “including synthetically manufactured products” after “heating oil (light)”.

(Reference document: ECE/TRANS/WP.15/AC.1/120, annex II)

[2.2.62.1.5:

Add the following new paragraph:

“2.2.62.1.5.7 Uncleaned medical devices (such as surgical instruments) which are carried for purposes of disinfection, cleaning or sterilization before their subsequent reuse are not subject to the provisions of RID/ADR/ADN if packed in rigid, puncture-resistant packagings of metal or plastic, which shall be designed to meet the construction requirements listed in 6.1.4.

The packagings shall bear the inscription ‘uncleaned medical devices’. When using overpacks, these shall be marked in the same way, except when the inscription remains visible.

These packagings shall meet the general packing requirements of 4.1.1.1 and 4.1.1.2 and be capable of retaining the medical devices when dropped from a height of 1.20 m.

This exemption shall not apply to uncleaned medical devices containing infectious substances in Category A. These devices shall be assigned to UN No. 2814 or 2900.

NOTE: This provision shall not apply to medical devices contaminated or filled with other dangerous goods that meet the definition of another class.”]

(Reference document: ECE/TRANS/WP.15/AC.1/120, annex II)

Part 3

Chapter 3.2

3.2.1, Table A

UN Nos. 1011, 1969 and 1978:

Add “657” in column (6).

(Reference document: ECE/TRANS/WP.15/AC.1/120, annex II)

Chapter 3.3

3.3.1:

Add the following new special provision 657:

“657 This entry shall be used for the technically pure substance only; for mixtures of LPG components, see UN No. 1965 or see UN No. 1075 in conjunction with NOTE 2 in 2.2.2.3.”

(Reference document: ECE/TRANS/WP.15/AC.1/120, annex II)

Chapter 3.4

3.4.1 (h):

At the end, insert: “and 8.6.4.”

(Reference document: ECE/TRANS/WP.15/2011/2, proposal 3, as amended)

Part 4

Chapter 4.1

4.1.4.1 **P200**:

Renumber the existing paragraph (7) as subparagraph (7) (a) and add a new subparagraph (b) to read as follows:

“(b) LPG to be filled in cylinders shall be of high quality; this is deemed to be fulfilled if the LPG to be filled is in compliance with the corrosion contaminants level of EN 1440:2008, annex E.1, letter b.”

In paragraph (12), number 2.5, in the English text, replace “contaminates” with “contaminants”.

(Reference document: ECE/TRANS/WP.15/AC.1/120, annex II)

Part 5

Chapter 5.2

5.2.2.2.1.2:

In the first paragraph, add “and the environmentally hazardous substance mark when appropriate” after “specified in this section”. In the second paragraph, add “and the environmentally hazardous substance mark (see 5.2.1.8.3)” before “may overlap to the extent”.

(Reference document: ECE/TRANS/WP.15/AC.1/120, annex II)

Chapter 5.3

5.3.1.7.2:

In the description under the placard in accordance with Model No. 7D, delete “, when required,” and replace “(see 5.3.2.1.2)” with “,”.

(Reference document: ECE/TRANS/WP.15/AC.1/120, annex II)

5.3.2.1.1:

Add the following new paragraph at the end:

“If a trailer containing dangerous goods is detached from its motor vehicle during carriage of dangerous goods, an orange-coloured plate shall remain affixed to the rear of the trailer.”

(Reference document: ECE/TRANS/WP.15/2011/6, as amended)

Part 6

Chapter 6.2

6.2.3.6.1:

In the first paragraph after the table, at the beginning, replace “The conformity assessment of valves and other accessories” with “For refillable pressure receptacles, the conformity assessment of valves and other demountable accessories”.

(Reference document: ECE/TRANS/WP.15/AC.1/120, annex II)

6.2.3.9:

Add the following new paragraph:

“6.2.3.9.7 Marking of bundles of cylinders

6.2.3.9.7.1 Individual cylinders in a bundle of cylinders shall be marked in accordance with 6.2.3.9.

6.2.3.9.7.2 A plate permanently attached to the frame of the bundle shall bear the following markings:

(a) The certification marks specified in 6.2.2.7.2 (b), (c), (d) and (e);

(b) The operational marks specified in 6.2.2.7.3 (f), (i), (j) and the gross mass which shall include the mass of the frame of the bundle and all permanently attached parts (cylinders, manifold, fittings and valves). Bundles intended for the carriage of UN No. 1001 acetylene, dissolved and UN No. 3374 acetylene, solvent free shall bear the tare mass as specified in paragraph (a) (6) of clause 5.4 of EN 12755:2000; and

(c) The manufacturing marks specified in 6.2.2.7.4 (n), (o) and, where applicable, (p).

6.2.3.9.7.3 The marks shall be placed in three groups:

(a) The manufacturing marks shall be the top grouping and shall appear consecutively in the sequence given in 6.2.3.9.7.2 (c);

[(b) The operational marks in 6.2.3.9.7.2 (b) shall be the middle grouping and the operational mark specified in 6.2.2.7.3 (f) shall be immediately preceded by the operational mark specified in 6.2.2.7.3 (i) when the latter is required;]

(c) Certification marks shall be the bottom grouping and shall appear in the sequence given in 6.2.3.9.7.2 (a).”

(Reference document: ECE/TRANS/WP.15/AC.1/120, annex II, as amended)

6.2.4.1:

In the table under “*for closures*”, amend column (3) for the seven entries to read “6.2.3.1 and 6.2.3.3”. For reference “EN 849:1996 (except Annex A)”, add in column (5) “31 December 2014”. For reference “EN 849:1996 + A2:2001”, add in column (5) “31 December 2016”.

In the table under “*for design and construction*”, add a new line to read as follows:

EN 14638-3:2010	Transportable gas cylinders — Refillable welded receptacles of a capacity not exceeding 150 litres — Part 3: Welded carbon steel cylinders made to a design justified by experimental methods	6.2.3.1 and 6.2.3.4	Until further notice
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(Reference document: ECE/TRANS/WP.15/AC.1/120, annex II)

Chapter 6.5

6.5.1.1.3:

Add a new note to read as follows: “Parties performing inspections and tests in other countries, after the IBC has been put into service, need not be accepted by the competent authority of the country in which the IBC has been approved, but the inspections and tests have to be performed according to the rules specified in the IBC’s approval.”

(Reference document: ECE/TRANS/WP.15/AC.1/120, annex II)

Part 7

Chapter 7.3

7.3.3:

In special provision VV15, first paragraph, insert “on an average” before “not more than 1000 mg/kg”. At the end of the first paragraph, add the following new sentence: “At no point of the load shall the concentration of this substance or these substances be higher than 10 000 mg/kg.”

(Reference document: ECE/TRANS/WP.15/AC.1/120, annex II)

Part 8

Chapter 8.1

8.1.4.1:

Amend to read as follows:

“8.1.4.1 The following table shows the minimum provisions for portable fire extinguishers for the inflammability Classes¹ A, B and C that apply to transport units carrying dangerous goods except for those referred to in 8.1.4.2:

(1) Transport unit maximum permissible mass	(2) Minimum number of fire extinguishers	(3) Minimum total capacity per transport unit	(4) Extinguisher suitable for engine or cab fire. At least one with a minimum capacity of:	(5) Additional extinguisher(s) requirement. At least one extinguisher shall have a minimum capacity of:
≤3.5 tonnes	2	4 kg	2 kg	2 kg
>3.5 tonnes ≤7.5 tonnes	2	8 kg	2 kg	6 kg
>7.5 tonnes	2	12 kg	2 kg	6 kg

The capacities are for dry powder devices (or an equivalent capacity for any other suitable extinguishing agent).

.”

(Reference document: ECE/TRANS/WP.15/2011/3, proposal 3)

Chapter 8.5

Amend additional requirement S3 to read as follows:

“S3: Special provisions concerning the carriage of infectious substances

For transport units carrying dangerous substances of Class 6.2, only the requirements in column 4 of the table in 8.1.4.1 shall apply. The requirements in 8.3.4 shall not apply.”

(Reference document: ECE/TRANS/WP.15/2011/3, proposal 3, consequential amendment)

Chapter 8.6

8.6.3.3:

At the end, insert:

“, except if the unit is required to be marked in accordance with 3.4.13 as defined in 3.4.14”.

8.6.4:

¹ For the definition of the inflammability classes, see Standard EN 2:1992 Classification of fires.

In the table, in the second column, insert the following sentence for C/E, D/E and E:

“Passage forbidden where quantities carried exceed 8 tonnes (total gross mass) per transport unit according to Chapter 3.4.”

(Reference document: ECE/TRANS/WP.15/2011/2, proposal 3, as amended)

Annex III

Proposed amendments to the Consolidated Resolution on Road Signs and Signals (R.E.2) (document ECE/TRANS/WP.1/119/Rev.2)

Paragraph 1.11 (a):

At the end of the first paragraph, add “or, for tunnels, under the conditions for carriage which are specified in 1.9.5.3.6 of Annex A of ADR”.

In (i) (Sign C,3^h with an additional panel bearing letter B), replace “, for which the orange-coloured plate marking according to 5.3.2 of Annex A of ADR is required” with “under the conditions for carriage which are specified in 1.9.5.3.6 of Annex A of ADR”.

In (ii) (Sign C,3^h with an additional panel bearing letter C), replace “for which the orange-coloured plate marking according to 5.3.2 of Annex A of ADR is required” with “under the conditions for carriage which are specified in 1.9.5.3.6 of Annex A of ADR”.

In (iii) (Sign C,3^h with an additional panel bearing letter D), replace “, for which the orange-coloured plate marking according to 5.3.2 of Annex A of ADR is required” with “under the conditions for carriage which are specified in 1.9.5.3.6 of Annex A of ADR”.

In (iv) (Sign C,3^h with an additional panel bearing letter E), replace “for which the orange-coloured plate marking according to 5.3.2 of Annex A of ADR is required” with “under the conditions for carriage which are specified in 1.9.5.3.6 of Annex A of ADR”.

Paragraph 1.11 (b):

At the end of the first paragraph, add “or, for tunnels, under the conditions for carriage which are specified in 1.9.5.3.6 of Annex A of ADR”.

Paragraph 1.11 (c):

At the end of the first paragraph, add “or, for mandatory directions related to prohibitions in tunnels, under the conditions for carriage which are specified in 1.9.5.3.6 of Annex A of ADR”.

(Reference document: Informal document INF.19, as amended)

Economic Commission for Europe**Inland Transport Committee****Working Party on the Transport of Dangerous Goods****19 April 2011****Ninetieth session**

Geneva, 3–5 May 2011

Item 4 of the provisional agenda

Interpretation of ADR**Interpretation of frequency of technical inspections mentioned in Part 9 of ADR****Transmitted by the Government of Sweden**

1. There are some sections in part 9 of the ADR that regulate an annual technical inspection of vehicles.

9.1.1.1 *Scope*

The requirements of Part 9 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 carriage of dangerous goods.

These requirements refer to vehicles, as regards their construction, type approval, ADR approval and annual technical inspection.

9.1.2.3 Annual technical inspection

EX/II, EX/III, FL, OX and AT vehicles and MEMUs shall be subject to an annual technical inspection in their country of registration to make sure that they conform to the relevant requirements of this Part, and to the general safety regulations (concerning brakes, lighting, etc.) in force in their country of registration.

The conformity of the vehicle shall be certified either by the extension of validity of the certificate of approval or by the issue of a new certificate of approval in accordance with 9.1.3.

9.1.3.4 The validity of a certificate of approval shall expire not later than one year after the date of the technical inspection of the vehicle preceding the issue of the certificate. The next approval term shall, however, be related to the last nominal expiry date, if the technical inspection is performed within one month before or after that date.

2. From sub-sections 9.1.1.1 and 9.1.2.3 it can be concluded that an annual technical vehicle inspection is needed to check the conformity to requirements of part 9 and the general traffic safety regulations.

3. Directive 2009/40/EC of the European Parliament and of the Council of 6 May 2009 on roadworthiness tests for motor vehicles and their trailers, regulates the test frequency for different categories of vehicles. The Directive states that motor vehicles used for the carriage of goods and having a maximum permissible mass exceeding 3 500 kg shall have a test frequency of one year after the date on which the vehicle was first used, and thereafter annually. For this category there is no discrepancy to the ADR.

4. However, for motor vehicles with a maximum permissible mass not exceeding 3 500 kg, the frequency of tests shall be four years after the date on which the vehicle was first used, and thereafter every two years. In Sweden such vehicles can get an EX/II approval and are used by enterprises to carry explosives. According to Article 5 (a) in this directive Member States may bring forward the date for the first compulsory roadworthiness test and, where appropriate, require the vehicle to be submitted for testing prior to registration.

5. The Government of Sweden would like to know the view of the Working Party on the interpretation of the text contained in the referred sub-sections of ADR in relation to Directive 2009/40/EC.
