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INLAND TRANSPORT COMMITTEE

Working Party on the Transport
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Chapter 9.1

Transmitted by the Government of France

SUMMARY

Executive summary: This proposal is intended to improve the wording of some paragraphs of Chapter 9.1 which may be variously interpreted.

Action to be taken: Amend 9.1.2.1, 9.1.2.2 and 9.1.3.

Related documents: TRANS/WP.15/172 and TRANS/WP.15/2003/1.

Introduction

This proposal refers to document TRANS/WP.15/2003/1 prepared by the secretariat on the basis of the texts adopted at the November 2002 meeting of WP.15.

A perusal of the French version of the text reveals some drafting problems in a number of paragraphs which it is proposed to amend.

1. The last paragraph of 9.1.2.1 refers to Chapter 9.2. The declaration in fact refers to compliance with ECE Regulation No. 13, annex 5, with reference to endurance braking. It is proposed that the reference should therefore be to this annex.

Proposal 1:

In **9.1.2.1**, last paragraph, replace “with the requirements of 9.2.3.1.2” by “annex 5 of ECE Regulation No. 13”. The same reference should appear in section 8 of the certificate of approval.

2. The wording of 9.1.2.2 as adopted is confusing. It is proposed to amend it on the basis of the existing 9.1.2.2.1.

Proposal 2:

Amend the first paragraph of 9.1.2.2 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 in accordance with ECE Regulation No. 105 or Directive 98/91/EC. The relevant technical requirements of Chapter 9.2 are then considered to be fulfilled ~~if a type approval certificate has been issued by the competent authority in accordance with ECE Regulation No. 105 or Directive 98/91/EC, for vehicles which are subject to ADR approval according to 9.1.2.1,~~ 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.”

3. For the purpose of improved readability it is proposed that the provisions concerning the language used should be moved from 9.1.3.1 to 9.1.3.3 and the text simplified. The third sentence of 9.1.3.1 becomes unnecessary as it already appears in 9.1.3.3. The expression “the competent authorities” appears in 9.1.3.2; the reference should be to “the competent authority”.

Proposal 3:

Amend 9.1.3 to read:

“9.1.3 Certificate of approval

9.1.3.1 Conformity of EX/II, EX/III, FL, OX and AT vehicles with the requirements of this Part is subject to a certificate of approval (certificate of ADR approval) issued by the competent authority of the country of registration for each vehicle whose inspection yields satisfactory results. ~~It shall be drawn up in the language or one~~

~~of the languages of the country issuing it. It shall conform to the model shown in 9.1.3.5. The title of the certificate of approval and any remarks under item 11 shall be drawn up in the language or one of the languages of the country issuing it and also, if that language is not English, French or German, in English, French or German.~~

9.1.3.2 A certificate of approval issued by the competent authorities of one Contracting Party for a vehicle registered in the territory of that Contracting Party shall be accepted, so long as its validity continues, by the competent authorities of the other Contracting Parties.

9.1.3.3 The certificate of approval shall have the same layout as the model shown in 9.1.3.5. Its dimensions shall be 210 mm x 297 mm (format A4). Both front and back may be used. The colour shall be white, 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.

The approval certificate for a vacuum-operated waste tank-vehicle shall bear the following remark: ‘vacuum-operated waste tank-vehicle’.”

Safety implications

The aim of this proposal is to avoid misinterpretations and misunderstandings.

Feasibility

No problem.

Enforceability

No problem.
