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INTERPRETATION OF ADR

Section 7.1.5

EX/II and EX/III vehicles with containers

Transmitted by the Government of Germany

SUMMARY

Executive summary:	Interpretation of the current provision with regard to the approval of EX/II and EX/III vehicles is possible if containers are used instead of a load compartment.
Action to be taken:	Discussion of the alternative possible solutions.
Related documents:	No related document.

Introduction

1. Vehicles for the transport of explosive substances must - depending on the kind and the amount of the goods carried - comply with the requirements for EX/II or EX/III vehicles. EX/III vehicles usually are constructed as closed vehicles but 7.1.5 ADR also allows the carriage in containers (large and small containers) provided that the containers meet the requirements

concerning the body of the vehicle. The body of the vehicle need not then satisfy those provisions.

2. In the context of the approval of vehicles according to 9.1.2, the body of the vehicle has to be inspected to verify conformity with the relevant technical requirements. For containers such an inspection is not required.

3. The Government of Germany would be interested to learn how the other ADR Contracting Parties proceed for issuing the certificate of approval.

Proposal

4. In principle, from the point of view of Germany, two alternatives are possible:

(a) In the certificate of approval of 9.1.3.5, under item No. 11 (Remarks), the following should be entered: "For the carriage of explosives the vehicle may only be operated with a container which complies with the requirements for vehicle bodies of EX/II vehicles/EX/III vehicles." (Note: The operator will then be responsible for complying with the requirements); or

(b) In the certificate of approval of 9.1.3.5, under item No. 11 (Remarks), the following should be entered: "For the carriage of explosives the vehicle may only be operated with the container(s) <<insert details of identification of the container(s) >>."

5. Discussion of pros and cons:

Alternative 4 (a)

- (i) pros: - The use of the vehicles and the containers is flexible;
- The solution is cost-saving, as the inspection is omitted;
- This alternative allows e. g. the transport of a container from a sea port to an inland destination without an inspection by the competent authority.
- (ii) cons: - The operator has to verify himself the compliance with the provisions;
- It might happen that containers which do not comply with the provisions be used.

Alternative 4 (b)

- (i) pros:

Only dedicated containers may be carried on a given vehicle. The inspection of the containers and the verification of compliance with the provisions can be ensured before the first use and through inspection at regular intervals. (Note: Such an inspection is not explicitly required by ADR. But it might be implied by 7.1.5 of ADR since the inspection of the body is also a requirement which has to be complied with for the container used.

- (ii) cons: - The use of this container will not be flexible;
- Carriage following maritime carriage would be almost impossible.

Justification

Harmonisation of the application of ADR.

Safety implications

Proper procedures improve safety.

Feasibility

See explanations under proposal.

Enforceability

No problem.
