



# Economic and Social Council

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## Economic Commission for Europe

### Inland Transport Committee

#### Working Party on the Transport of Dangerous Goods

##### Eighty-seventh session

Geneva, 2–6 November 2009

Item 5 of the provisional agenda

#### Proposals for amendments to Annexes A and B of ADR

### Safety in road tunnels

#### Transmitted by the Government of Switzerland\*

##### *Summary*

Executive Summary	Subject carriage in limited quantities to tunnel restrictions in accordance with chapter 3.4
Related documents	ST/SG/AC.10/C.3/2002/47 and informal document UN/SCETDG/21/INF.28  TRANS/WP.15/2004/12, INF.18 of the seventy-fourth session of WP.15 et INF.16 of the seventy-ninth session of WP.15.

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\* The present document is submitted in accordance with paragraph 1 (c) of the terms of reference of the Working Party, as contained in document ECE/TRANS/WP.15/190/Add.1, which provides a mandate to “develop and update the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR)”.

## Introduction

1. The new ADR regulations for tunnels that will enter into force on 1 January 2010 pose serious safety problems. The ADR allows for exemptions that cannot be justified where tunnels are concerned, given the confined space for transit. This issue was already raised during the discussions on the introduction of regulations for tunnels (INF.18 of the seventy-fourth session of WP.15, TRANS/WP.15/2004/12 and INF.16 of the seventy-ninth session of WP.15), but such suggestions, often repeated, have gone largely unheeded. As a result, the safety of tunnels that has prevailed to date can no longer be guaranteed. Not only were the exemptions under the ADR not designed to take into consideration the specific nature of tunnels, but in some cases they have never been shown to be valid – quite the opposite. For instance, a study by the French National Institute for Environmental Technology and Hazards (INERIS), the English version of which is contained in the informal document of the twenty-first session of the Sub-Committee of Experts on the Transport of Dangerous Goods, UN/SCETDG/21/INF.28, and the French in document ST/SG/AC.10/C.3/2002/47, shows that goods packed in limited quantities are no safer to transport than those packed in accordance with the regulations, and that in some instances their transport is even less safe than that of goods packed in larger quantities, that conform to the regulations.

2. There is every reason to believe that, historically, the maximal exemptions under ADR were introduced on an intuitive and largely unscientific basis, not by using thorough risk assessment. An element of risk may be acceptable for open road traffic, but that is not the case for traffic through road tunnels. There is therefore no reason to permit this situation with regard to tunnel traffic to persist. Some countries of the Alpine region have long been aware of the risks associated with the carriage through tunnels of dangerous goods exempted by ADR. That awareness has proved beneficial.

3. As we would like to see the present level of safety in tunnels maintained, we believe that some of the exemptions under ADR are entirely unwarranted where tunnels are concerned. We therefore propose to subject goods exempted under ADR to the same restrictions as non-exempted goods and are submitting a number of important questions to which we would like WP.15 to reply, with a view to drafting proposals in line with decisions to be taken on the basis of these replies.

### Question 1

4. Does WP.15 agree to subject transport units with a maximum mass exceeding 12 tonnes, marked in accordance with 3.4.12 and whose maximum total quantity per transport unit exceeds the limits listed in 1.1.3.6.3, to the same restrictions under 1.9.5 on passage through road tunnels as units that are not so exempted under chapter 3.4?

### Question 2

5. Does WP.15 agree to require the transport units referred to in question 1 to have a transport document when the transport is through a tunnel subject to restrictions under 1.9.5 on the passage of vehicles carrying dangerous goods?

**Justification**

6. The use of a transport document is necessary so that both the quantities carried and the load's tunnel restriction code may be checked. This will expedite the necessary decisions concerning passage through tunnels, thereby benefiting the carrier, the tunnel operators and the control authorities who must decide whether to allow a consignment through.

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