

Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Dangerous Goods

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Item 4 of the provisional agenda

Interpretation of ADR

31 October 2012

Interpretation of the set-phrases “*retiré de la circulation*” and “*taken out of service*” in the NOTE under 9.1.3.5 of ADR – French and English version

Transmitted by the Government of Romania

1. Subsection 9.1.3.5 *Model for certificate of approval for vehicles carrying certain dangerous goods* contains, at the end, a NOTE which reads as follows:

NOTE: *This certificate shall be returned to the issuing service when the vehicle is taken out of service; if the vehicle is transferred to another carrier, operator or owner, as specified in No. 5; on expiry of the validity of the certificate; and if there is a material change in one or more essential characteristics of the vehicle.*

NOTA: *Ce certificat doit être restitué au service émetteur lorsque le véhicule est retiré de la circulation, en cas de changement du transporteur, utilisateur ou propriétaire indiqué au No 5, à l'expiration de la durée de validité et en cas de changement notable des caractéristiques essentielles du véhicule.*

2. In contrast with the expressions used for the situation when the vehicle is taken out of service as mentioned in the NOTE under 9.1.3.5, we noted that there is a clearer expression for the entrance into service both in English and French – e.g. “which entered into service” and “qui entrent en service”. This wording is to be found in 9.2.1.1 and 9.2.2.3.1 ADR in the case of vehicles for which registration is not mandatory.

3. As we have no information with regard to the original proposal for a paragraph 9.1.3.5, we wish to know the opinion of the WP15 on the use of the set-phrases *is taken out of service* and *est retiré de la circulation*. We also wish to know if the French and English phrases are considered to be equivalent and their meaning is that the vehicle was removed from the evidences of the registration authority.

4. We ask for this interpretation because, in Romania, registration of vehicles is mandatory and, according to the French version, which was used as a reference for the Romanian version of ADR, the certificate shall be returned after the vehicle was removed from the evidences of the registration authority.