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### Economic Commission for Europe

#### Inland Transport Committee

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

##### Ninety-fifth session

Geneva, 4–8 November 2013

Item 6 (b) of the provisional agenda

##### **Proposals for amendments to Annexes A and B of ADR: miscellaneous proposals**

### **Training of drivers for Class 7 in accordance with special provision S12**

**Transmitted by the Government of Switzerland<sup>1</sup>**

#### *Summary*

- Executive summary:** Include in the general ADR training the specialization training course described in special provision S12 in chapter 8.5.
- Action to be taken:** Provide an interpretation of the texts which allows for the inclusion of restricted basic training courses limited to Class 7 for the entries affected by special provision S12, or replace the text of special provision S12 with a provision whereby basic training limited to Class 7 or to certain entries of Class 7 may be approved by the competent authority if it is already given in compliance with other regulations in force.
- Related documents:** Informal document INF.8 (May 2012 session of the Working Party), ECE/TRANS/WP.15/215, ECE/TRANS/WP.15/2012/12, ECE/TRANS/WP.15/219.

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<sup>1</sup> 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. Paragraphs 29 to 31 of the report of the Working Party on its May 2013 session (ECE/TRANS/WP.15/219) mentions the divergences in interpretation among the delegations with regard to the need for basic training for drivers of vehicles carrying radioactive materials of certain types covered by provision S12. Some countries, including Spain and Sweden, considered that there was no need for full basic training followed by specialization training according to provision S12. Others took the opposite view. A multilateral agreement was subsequently prepared by Spain in order to apply that approach. For the moment, however, ADR has not been amended to take account of the concerns of Spain and Sweden.

2. Switzerland shares the concerns of Spain and Sweden with regard to the absence of any requirement for those using radioactive sources in their equipment to take a full basic training course. However, provision S12 has never been applied in Switzerland because according to Swiss Class 7 specialists the training as described in provision S12 does not guarantee the level required by radioactive hazards. Instead, in Switzerland, special training for those carrying radioactive sources in their equipment is given by the competent authorities and an ad hoc training certificate issued by them, valid only on Swiss territory. We therefore submitted document ECE/TRANS/WP.15/2012/12, the aim of which was to include the special Class 7 training in the existing ADR provisions. It was merely a matter of interpreting the current wording of ADR as effectively providing for restricted basic training for Class 7 under the existing 8.2.1.2. Unfortunately this approach was not understood or not accepted by the majority of delegations present.

3. We now wish to draw delegations' attention once again to our document ECE/TRANS/WP.15/2012/12, for it appears to us that this approach addresses the concerns both of those who would like to provide for special training for those who transport radioactive sources and of those who rightly consider that provision S12 does not provide the minimum guarantees appropriate for internationally applicable regulations. Our approach would make it possible to have a single training regime in ADR, one that is standardized and approved by the authorities of the Contracting Parties.

4. The idea put forward in document ECE/TRANS/WP.15/2012/12 was either to provide an interpretation of the texts which allows for the inclusion of restricted basic training courses limited to Class 7, or to create a special provision for Class 7 entries, whereby basic training limited to Class 7 or to certain entries of Class 7 may be approved by the competent authority if it is already given in compliance with other regulations in force.

5. If the Working Party considers it necessary, the proposal on providing an interpretation, in our view already present in the provisions of ADR, whereby it is already possible to give restricted basic training courses for Class 7, could be limited to the two entries covered by provision S12, that is to say UN Nos. 2915 and 3332. In this way, for the entries concerned, we would have a training system accredited by the competent authority, standardized, acceptable and accepted in all areas covered by ADR, and which would no longer depend on an employer's goodwill as is currently the case for provision S12.

6. In the proposal, references to other entries that in Switzerland are also covered by this regime have been placed in square brackets.

## Proposal 1

7. In 8.2.1.2, insert the following sentence before the final sentence (the entries not covered by S12 are in square brackets):

“For Class 7 the restricted basic training courses are authorized only for entries under UN Nos. 2915 and 3332 [2908–2913, 2915–2919, 2977, 2978 and 3323–3333].”

Consequential amendment: Delete provision S12 in chapter 8.5 and in Column (19) of Table A of Chapter 3.2 for all entries (UN Nos. 2915 and 3332).

8. The second alternative proposal in document ECE/TRANS/WP.15/2012/12, which was to create a new special provision, referred to all the entries for which specialized training was available in Switzerland. We reproduce it below, placing in square brackets the entries that are currently not covered by provision S12. This provision is based on the existing special provision S11, the only difference being that, in this case, the training would not be specialization training permitting transport of Classes 2 to 9, but rather restricted basic training for Class 7 only.

9. Delegations that consider it necessary may endorse one of the options in square brackets specifying the scope of national application.

## Proposal 2

10. Add a new special provision DSXXX in chapter 3.3 with the following wording:

“DS XXX

If, according to other regulations applicable in the country of a Contracting Party, a driver has followed equivalent training under a different regime or for a different purpose, covering the subjects defined in 8.2.2.3.5, the competent authority may authorize restricted basic training for Class 7 or for certain dangerous goods in this class. In this case, the ADR training certificate will mention only Class 7 or the relevant UN Numbers in Class 7, and no other classes [and will be valid only in the country of issuance.] [and will be valid only in countries that have recognized this training]”.

Assign DSXXX to UN Nos. [2908–2913,] 2915 [2916, 2917, 2919, 3323–3331,] 3332 [and 3333].

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