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**Committee of Experts on the Transport of Dangerous Goods  
and on the Globally Harmonized System of Classification  
and Labelling of Chemicals****Sub-Committee of Experts on the Transport of Dangerous Goods****Forty-eighth session**

Geneva, 30 November – 9 December 2015

Item 4 (d) of the provisional agenda

**Electric storage systems: miscellaneous****Modifications to special provisions concerning transport of  
vehicles****Transmitted by the expert from France<sup>1</sup>****Introduction**

1. The RID/ADR/ADN Joint Meeting, during its September 2015 session, examined the harmonization between RID/ADR/ADN and the UN Model Regulations. The Joint Meeting noted that Special Provisions 312 and 382 were largely redundant. This situation also occurs with Special Provision 240.
2. The Joint Meeting did not want to modify the text of the Model Regulations by adopting a Special Provision which would be specific to RID/ADR/ADN and invited France to submit to the Sub-Committee a proposal in order to merge the different Special Provisions concerning vehicles to eliminate redundancies, that could be source of confusion.
3. To do this, the expert of France wish to submit two options which are described below, which contain no new provision but address rationalization of existing provisions.
4. The first option consists in merging Special Provisions 312 and 385 which are assigned to entry UN 3166. This modification seems to be the minimum required to eliminate confusion. This proposal is provided under Proposal 1 Option 1

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<sup>1</sup> In accordance with the programme of work of the Sub-Committee for 2015–2016 approved by the Committee at its seventh session (see ST/SG/AC.10/C.3/92, paragraph 95 and ST/SG/AC.10/42, para. 15).

5. The second option is to further rationalize the existing Special Provisions, by merging the Special Provisions 240, 312 and 385 which are assigned to entries UN 3166 and UN 3171. This proposal is provided under Proposal 1 Option 2:

6. Furthermore, it appeared during the discussions that the text making reference to prototypes, small production runs and damaged batteries in vehicles also creates some misunderstandings. This text also appears in Special Provision 363. Proposal 2 proposes an amendment to this text, in order to clarify its meaning. The new text is underlined and the deleted one is stricken out. As it is not related to the same issue, it is presented in a separate proposal to be discussed separately.

## Proposal 1

### Option 1

- Delete Special Provision 385 in Chapter 3.3
- Delete Special Provision 385 in Column 6 of the Table in Chapter 3.2 for UN 3166.
- Amend Special Provision 312, to read as follows :

**“312** This entry applies to vehicles powered by flammable liquid or gas internal combustion engines or fuel cells.

Vehicles powered by a fuel cell engine shall be consigned under the entries UN 3166 VEHICLE, FUEL CELL, FLAMMABLE GAS POWERED or UN 3166 VEHICLE, FUEL CELL, FLAMMABLE LIQUID POWERED, as appropriate. These entries include hybrid electric vehicles powered by both a fuel cell and an internal combustion engine with wet batteries, sodium batteries, lithium metal batteries or lithium ion batteries, transported with the battery(ies) installed.

Other vehicles which contain an internal combustion engine shall be consigned under the entries UN 3166 VEHICLE, FLAMMABLE GAS POWERED or UN 3166 VEHICLE, FLAMMABLE LIQUID POWERED, as appropriate. These entries include hybrid electric vehicles powered by both an internal combustion engine and wet batteries, sodium batteries, lithium metal batteries or lithium ion batteries, transported with the battery(ies) installed.

Vehicles powered by wet batteries, sodium batteries, lithium metal batteries or lithium ion batteries, transported with the batteries installed, shall be consigned under the entry UN 3171 BATTERY POWERED VEHICLE (see special provision 240).

For the purpose of this special provision, vehicles are self-propelled apparatus designed to carry one or more persons or goods. Examples of such vehicles are cars, motorcycles, trucks, locomotives, scooters, three- and four-wheeled vehicles or motorcycles, lawn tractors, self-propelled farming and construction equipment, boats and aircraft.

Dangerous goods such as batteries, air bags, fire extinguishers, compressed gas accumulators, safety devices and other integral components of the vehicle that are necessary for the operation of the vehicle or for the safety of its operator or passengers, shall be securely installed in the vehicle and are not otherwise subject to these Regulations. However, lithium batteries shall meet the requirements of 2.9.4. except when otherwise provided for in this Regulations (e.g. for prototype batteries

and small production runs under special provision 310 or damaged batteries under special provision 376).“

## Option 2

- Delete Special Provisions 240, 312 and 385 in Chapter 3.3
- Delete Special Provisions 240, 312 and 385 in Column 6 of the Table in Chapter 3.2 for UN 3166
- Delete Special Provisions 240, 312 and 385 in Column 6 of the Table in Chapter 3.2 for UN 3171
- Add the following new Special Provision to Chapter 3.3

“~~3XX~~. UN 3166 applies to vehicles powered by flammable liquid or gas internal combustion engines or fuel cells.

Vehicles powered by a fuel cell engine shall be consigned under the entries UN 3166 VEHICLE, FUEL CELL, FLAMMABLE GAS POWERED or UN 3166 VEHICLE, FUEL CELL, FLAMMABLE LIQUID POWERED, as appropriate. These entries include hybrid electric vehicles powered by both a fuel cell and an internal combustion engine with wet batteries, sodium batteries, lithium metal batteries or lithium ion batteries, transported with the battery(ies) installed.

Other vehicles which contain an internal combustion engine shall be consigned under the entries UN 3166 VEHICLE, FLAMMABLE GAS POWERED or UN 3166 VEHICLE, FLAMMABLE LIQUID POWERED, as appropriate. These entries include hybrid electric vehicles powered by both an internal combustion engine and wet batteries, sodium batteries, lithium metal batteries or lithium ion batteries, transported with the battery(ies) installed.

Entry UN 3171 only applies to vehicles powered by wet batteries, sodium batteries, lithium metal batteries or lithium ion batteries and equipment powered by wet batteries or sodium batteries transported with the batteries installed.

For the purpose of this special provision, vehicles are self-propelled apparatus designed to carry one or more persons or goods. Examples of such vehicles are cars, motorcycles, scooters, three- and four-wheeled vehicles or motorcycles, trucks, locomotives, bicycles (pedal cycles with a motor) and other vehicles of this type (e.g. self-balancing vehicles or vehicles not equipped with at least one seating position), wheel chairs, lawn tractors, self-propelled farming and construction equipment, boats and aircraft. This includes vehicles transported in a packaging. In this case some parts of the vehicle may be detached from its frame to fit into the packaging.

Examples of equipment are lawnmowers, cleaning machines or model boats and model aircraft. Equipment powered by lithium metal batteries or lithium ion batteries shall be consigned under the entries UN 3091 LITHIUM METAL BATTERIES CONTAINED IN EQUIPMENT or UN 3091 LITHIUM METAL BATTERIES PACKED WITH EQUIPMENT or UN 3481 LITHIUM ION BATTERIES CONTAINED IN EQUIPMENT or UN 3481 LITHIUM ION BATTERIES PACKED WITH EQUIPMENT, as appropriate.

Dangerous goods such as batteries, air bags, fire extinguishers, compressed gas accumulators, safety devices and other integral components of the vehicle that are necessary for the operation of the vehicle or for the safety of its operator or passengers, shall be securely installed in the vehicle and are not otherwise subject to

these Regulations. However, lithium batteries shall meet the requirements of 2.9.4. except when otherwise provided for in this Regulations (e.g. for prototype batteries and small production runs under special provision 310 or damaged batteries under special provision 376).”

- Assign Special Provision 3XX to entries UN 3166 and UN 3171 in Column 6 of Table of Chapter 3.2.

## Proposal 2

- In Special Provision 363 and in the new Special Provisions as provided for in Proposal 1 Option 1 and Option 2, where the following text appears :

“However, lithium batteries shall meet the requirements of 2.9.4. except when otherwise provided for in this Regulations (e.g. for prototype batteries and small production runs under special provision 310 or damaged batteries under special provision 376).”

Replace it by the following text :

“However, lithium batteries shall meet the requirements of 2.9.4. except ~~when otherwise provided for in this Regulations (e.g. for prototype batteries and small production runs under special provision 310 or damaged batteries under special provision 376)~~ that 2.9.4.1 does not apply when pre-production prototype batteries or batteries of a small production run, consisting of not more than 100 batteries, are installed in the (SP 363 : “machinery or engines” / SP 3XX : “vehicles or equipment” as appropriate). Damaged or defective (SP 363 : “machinery or engines” / SP 3XX : “vehicles or equipment” as appropriate) may be transported only if the damage or defect has no impact on the safety of the battery. If the damage has an effect on the safety of the battery, the battery should be removed and transported according to Special Provision 376. If it is not possible to safely remove the battery, the (SP 363 : “machinery or engine” / SP 3XX : “vehicle or equipment” as appropriate) may be transported under conditions specified by Competent Authority.”

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