

## Economic Commission for Europe

### Inland Transport Committee

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

##### Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods

Geneva, 15–25 September 2015

Item 3 (b) of the provisional agenda

##### Proposals for amendment to RID/ADR/ADN: new proposals

15 September 2015

### **Amendments to the carrier obligations - sub-section 1.4.2.2 as amended in ECE/TRANS/WP.15/AC.1/2015/34**

#### **Transmitted by the International Road Transport Union (IRU)**

1. The WP.15 delegates adopted the proposal by Romania and agreed on the improvement of the text in sub-section 1.4.2.2.1 (g) and to add a new sub-section to read as follows:

“1.4.2.2.6 The carrier shall provide the vehicle crew with the instructions in writing as prescribed in ADR.”

2. As indicated in the Romanian document 2015/34, the IRU issues some reserves because adopting such a proposal would lead in the future to indicating not only the instructions in writing in sub-section 1.4.2.2.6, but also the list of all documents that the carrier should provide to the vehicle crew, which are - if we just take a non exhaustive list of items: means of identification, driving licence, driver certificate of professional competence, registration certificate, green insurance card, certificate of approval for each transport unit, digital tachograph card, periodical approval of vehicle and equipment, ADR training certificate, transport document, tank test certificate, waste transport permit, etc.

3. As already indicated in 1.4.2.2.1 b) the carrier not only has the responsibility to hand over instructions in writing to the vehicle crew in language(s) that each member can read and understand before the commencement of the journey, but also to transmit all prescribed documents, which means that all documents including the instructions in writing should be on board the vehicle.

4. Therefore, the WP.15 decision may create some misunderstandings in the interpretation of 1.4.2.2.6.

5. Carriers could understand that they have to provide to the driver only the instructions in writing.

6. Furthermore, in 1.4.2.2.1 c) the Romanian delegation proposes to add precisions regarding missing equipment, especially fire-fighting equipment, which is already part of section 8.1.4.

7. Finally they also propose a new entry under 1.4.2.2.1 h) stating that “ascertain that the instructions in writing as prescribed in ADR are on board the transport unit”, which is quite odd, as the instructions in writing in the form specified in 5.4.3.4 must be carried in the vehicle crew’s cab and be readily available.

8. Therefore the IRU proposes to revise this new entry in the RID/ADR, in order to remedy this odd situation in the ADR and to avoid unnecessary duplication of requirements, as the text in RID is slightly different, whereby one could understand only partly the obligations of the carrier as proposed by the Romanian delegation

9. To conclude, the IRU proposes not to support the proposal amending paragraph (c) including fire-fighting equipment, nor the proposal amending paragraph (h), as they indicate that the instructions in writing shall be on board the transport unit, but we could support the proposal amending paragraph (g) of sub-section 1.4.2.2.1.

10. To avoid duplication of these new proposed entries concerning carrier obligations, the current text in sub-section 1.4.2.2 [...] gives precise indications, which are easily cross-referenced in the dedicated sub-section of the RID/ADR concerning the instructions in writing and fire-fighting equipment.

---