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Working Party on the Transport
of Dangerous Goods

REPORT OF THE WORKING PARTY ON ITS SIXTY-SIXTH SESSION
(3-7 May 1999)

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(scheduled entry into force: 1 January 2001)

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REPORT OF THE WORKING PARTY ON ITS SIXTY-SIXTH SESSION

ATTENDANCE

1. The Working Party on the Transport of Dangerous Goods held its sixty-sixth session from 3 to 7 May 1999, with Mr. J. Franco (Portugal) as Chairman and Mrs. A. Roumier (France) as Vice-Chairman. Representatives of the following countries participated in its work: Austria; Belgium; Bulgaria; Czech Republic; Denmark; Estonia; Finland; France; Germany; Hungary; Ireland; Italy; Latvia; Liechtenstein; Netherlands; Norway; Poland; Portugal; Slovakia; Slovenia; Spain; Sweden; Switzerland; United Kingdom. The European Commission was also represented. The following intergovernmental organization was represented: Central Office for International Carriage by Rail (OCTI). The following non-governmental organizations were also represented: International Road Transport Union (IRU); Liaison Committee for the Manufacture of Automobile Equipment and Spare Parts (CLEPA); European Industrial Gases Association (EIGA); International Organization of Motor Vehicle Manufacturers (OICA); European Chemical Industry Council (CEFIC); Liaison Committee for the Construction of Coachwork and Trailers (LCCCT); European Liquefied Petroleum Gas Association (AEGPL); International Association of the Soap, Detergent and Maintenance Products Industry (AISE).

ADOPTION OF THE AGENDA

Document: TRANS/WP.15/156

Informal document: INF.1

2. The Working Party adopted the agenda prepared by the secretariat with the addition of documents TRANS/WP.15/1999/1 to -/3 and -/6. Documents TRANS/WP.15/1999/28 to -/34, which had been received after the 12-week deadline, and additional informal documents would be considered, as necessary, on a case-by-case basis under the agenda item in question.

OPENING OF THE SESSION

3. The Director of the Transport Division, Mr. J. Capel Ferrer, welcomed participants. He recalled that the deadline for the entry into force of the restructured ADR was 1 January 2001 and that the Working Party and the Joint Meeting would be required to make considerable efforts in 1999 so that the deadline could be met.

STATUS OF THE EUROPEAN AGREEMENT CONCERNING THE INTERNATIONAL CARRIAGE OF DANGEROUS GOODS BY ROAD (ADR) AND RELATED ISSUES

Status of the Agreement

Document: TRANS/WP.15/1999/4 (Secretariat)

4. Delegations were invited to check the list of competent authorities and their particulars and to send any corrections to the secretariat.

5. The representative of France said that it would be useful to keep the particulars of the administrative and technical services in charge of vehicle

type approval, although the provisions concerning the approval procedure had been replaced by a reference to Regulation No. 105 of the 1958 Agreement. A member of the secretariat said that these particulars were kept up to date by the secretariat of the WP.29 Working Party in a document with the symbol TRANS/WP.29/343 (and any revisions and addenda).

1993 Protocol of amendment

6. The Working Party noted that Romania had acceded to the Protocol of amendment to articles 1 (a), 14 (1) and 14 (3) (b) of ADR, adopted in Geneva on 28 October 1993. It invited the following 10 States which had not yet deposited the legal instruments required for its entry into force to do so as rapidly as possible: Belarus, Belgium, Bosnia and Herzegovina, Croatia, Germany, Greece, Lithuania, Republic of Moldova, The former Yugoslav Republic of Macedonia and Yugoslavia.

Special agreements

Document: TRANS/WP.15/1999/5

7. The Working Party took note of the list of bilateral and multilateral agreements concluded under marginals 2010 and 10 602 of ADR, in force at 1 February 1999 and of the States which were Contracting Parties to them.

Document INF.3 (Ukraine)

8. The Working Party took note of the comments made by the Government of Ukraine with regard to the Government of Sweden's invitation to sign the M81 Agreement. It was recalled that initiating States should not send such invitations to other States unless they were Contracting Parties to ADR in order to avoid misunderstandings of this nature.

9. The representative of Belgium stressed the difficulties of applying the M80 agreement since its wording did not enable a precise specification to be made of which substances were considered to be polluting in each State.

Notifications in accordance with marginal 10 599

Documents: TRANS/WP.15/1999/29 (Switzerland)
TRANS/WP.15/1999/32 (Belgium)
TRANS/WP.15/1999/34 (Portugal)

Informal document: INF.6 (Spain)

10. The Working Party took note of the additional provisions to ADR applicable on the territories of Switzerland, Belgium, Spain and Portugal, in accordance with marginal 10 599.

11. It was suggested that all restrictions applicable under marginal 10 599 should be put on Internet, on the Transport Division's website. A member of the secretariat said that he saw no objection provided that the data files were transmitted to him in a form suitable for distribution to ADR users.

Document: TRANS/WP.15/1999/19 (Russian Federation)

12. The Working Party took note of the explanations furnished by the Government of the Russian Federation following the concerns expressed by the other Contracting Parties at recent sessions of the Working Party and the Inland Transport Committee concerning the special authorizations to which the authorities of the Russian Federation subjected the international carriage of dangerous goods on their territory.

13. The Working Party regretted that these explanations only confirmed that the Russian Federation, which had been a Contracting Party to ADR since 1994, respected neither the letter nor the spirit of the Agreement in unilaterally imposing more restrictive conditions of carriage than were provided by the Annexes: this did not appear to be justified by reasons arising out of the application of article 4, paragraph 1 of the Agreement or of marginal 10 599.

14. The Working Party noted that the Ministry of Transport of the Russian Federation had informed the secretariat that the competent authorities would take steps to solve the problem, and that the ECE Transport Division was corresponding with the Ministry to explain the concerns of the other Contracting Parties.

15. Several delegations noted, however, that the problem had become worse for carriers over the past month in that the price of the special authorizations had been increased from DM 50 to DM 75 for each region traversed, while the time required to obtain these authorizations - approximately one month - made it difficult to plan transport operations and entailed considerable increases in costs due to the frequent immobilization of vehicles.

16. It was also noted that B.3 certificates of approval were required for vehicles other than those referred to in marginals 10 282 and 11 282, as well as drivers' training certificates in cases where they did not need them, for example, in transport operations in accordance with marginal 10 011.

17. In order to resolve these problems through diplomatic channels and avoid as far as possible resorting to the procedures for the settlement of disputes referred to in article 11, the competent authorities of the countries in question were invited to inform their embassies in Moscow of their difficulties.

RESTRUCTURING OF ADR

18. A member of the secretariat summed up the situation of the work on the restructuring of RID and ADR. He said that proposals concerning loading, unloading and the use of vehicles and containers would be submitted to the Joint Meeting in September, together with proposals for labelling. The texts concerning packing instructions resulting from the work of the United Nations Committee of Experts on the Transport of Dangerous Goods had been distributed with the symbols ST/SG/AC.10/25/Add.3 and -/Add.4 and were available on the Transport Division's website; they would be presented at the May 1999 Joint Meeting along with texts concerning Class 7.

19. The representative of OCTI reported to the Working Party on progress in the work of the Working Group on the Restructuring of RID; the texts on the use of RID/ADR tanks would be discussed by the Joint Meeting in May; those concerning tank construction would be discussed by the Working Group on the Restructuring of RID in June and then presented to the Joint Meeting in September.

Annex B of ADR

20. The secretariat explained that Annex A of ADR would logically follow the structure of the United Nations Model Regulations (Parts 1 to 6) as would RID. However, since Part 7 of the United Nations Model Regulations specifically concerned transport operations and since these provisions should appear in Annex B of ADR and were not all identical to those of RID, it might well be preferable to include them in Part 7 of RID and in Part 11 of ADR, since for the time being four sections (Parts 10 to 13) were planned for Annex B.

21. The representative of Germany said that his country would have only one set of national regulations for roads and railways and he therefore hoped that all the identical requirements would be grouped together. He suggested that Part 10 of Annex B should be transferred to Part 1 of Annex A and that Annex B should begin with Part 7.

22. Since the proposals for Parts 10 and 11 of the restructured ADR had not yet been prepared and this question also concerned the Joint Meeting, the Working Party was unable to take a decision on the subject; the ECE and OCTI secretariats should give some reflection to the matter before preparing the proposals.

Part 12

Document: TRANS/WP.15/1999/7 (Secretariat)

23. The Working Party considered the secretariat's proposal for Part 12 of the restructured ADR paragraph by paragraph; the amendments adopted can be found in annex 1.

24. It was stressed that the provisions of Chapters 12.1 to 12.3 were general provisions applicable to all goods while those of Chapter 12.4 were special provisions applicable to specific goods according to the indications contained in the table in Chapter 3.2.

25. The representative of Belgium considered that the provisions on the marking of transport equipment should also appear in this part. It was recalled that it had been planned to include them in Chapter 5.3 in accordance with the United Nations Model Regulations and that it might be appropriate to come back to the question after considering Chapter 5.3, which was not yet available. It would also be possible to include a reference to Chapter 5.3 in Part 12.

26. The representative of Norway wondered whether the special provision S01 should not be replaced by a special section of additional requirements for the carriage of explosives. Other delegations were of the opinion that Class 1

should not be treated differently from other classes. All the additional provisions concerning this Class were in any case grouped in provision S01 and the reference to this provision in the appropriate column of the table in Chapter 3.2 was useful.

27. The Working Party considered that provision S02 should only be applied to substances for which a model No. 3 label was required. The application to liquids of Classes 4.1, 4.2, 4.3 or 5.2 would require a written proposal.

28. The representatives of Poland and Norway considered that marginals 11 407, 61 407 and 91 407 should be reflected in Part 12. It was recalled that the provisions concerning loading and unloading would normally appear in Part 11 (or 7) and a decision on the most appropriate place for these provisions could perhaps be made when the texts of these sections were available.

29. The representative of Norway considered that paragraph 12.2.4.7 (marginal 10 507) should be deleted since its wording was vague and its content relatively subjective. In addition, the last sentence was no longer in conformity with marginal 10 385. Several delegations were of the same opinion, but the Working Party considered that this marginal could only be deleted on the basis of a written proposal. The representative of Norway said that he would submit such a proposal for the next session.

30. In paragraph 12.1.2.2 (c) the Working Party agreed that it would be appropriate to provide references to paragraphs in which a permit containing an authorization to perform the transport operation was required.

31. The representative of Portugal proposed new wording for section 12.2.1 (Special training for drivers); this was adopted.

32. The representative of Germany asked whether present marginal 10 315(1) applied in the case of fixed or demountable tanks with an individual capacity of more than 1,000 litres or a total capacity of more than 1,000 litres.

33. It was recalled that the reference to 1,000 litres had been added because the minimum capacity of demountable tanks had been reduced from 1,000 litres to 450 litres in the definition in marginal 10 014 and the Working Party had no intention of requiring a training certificate for the drivers of vehicles fitted with demountable tanks with a capacity of less than 1,000 litres (TRANS/WP.15/1997/20 and TRANS/WP.15/150, para. 42).

34. Several delegations considered that drivers should be trained if the total capacity of the demountable tanks was more than 1,000 litres even if the capacity of each tank was less than 1,000 litres. The representative of Germany said that he would prepare a proposal for the next session.

Part 13: Provisions concerning the construction and approval of vehicles

Document: TRANS/WP.15/1999/14 (Secretariat)

35. The definition of "vehicle" was put in square brackets since it repeated the definition contained in present Appendix B.2 but was not adapted to the general definition of vehicles according to ADR to which Part 13 referred.

36. In answer to a question from OICA, it was explained that the term "Other" (vehicle) referred to all vehicles other than EX/II, EX/III, OX, FL and AT vehicles, for which a certificate of approval according to marginal 10 282 was not required, but which could be used for the carriage of solids in bulk or goods other than those of Class 1 in packages. It did not designate vehicles used for the carriage of dangerous goods in small quantities according to marginal 10 011. Exceptions to the application of the requirements of Part 13 for such transport operations would be inserted at an appropriate point (Part 1 or Part 10).

37. The Working Party agreed that the model certificate and the Notes of the present Appendix B.3 should be included in Chapter 13.1. Similarly, the provisions of Appendices B.4 and B.6 could be reflected in Part 12.

38. The Working Party deemed it useful to mention explicitly that the certificate of approval of marginal 10 282 was not required for vehicles other than EX/II, EX/III, OX, FL and AT vehicles, but that this should be the subject of a Note under the heading of section 13.1.2 rather than a separate section 13.1.3.

39. The Working Party confirmed that the requirements of paragraphs 13.2.3.4.1, 13.2.3.4.2, 13.2.4.7.6 and 13.2.6 and the text in square brackets in paragraph 13.2.4.4 proposed by the secretariat and appearing in marginals 11 204 or 11 222 did indeed concern the base vehicle and should already have appeared in the present Appendix B.2.

40. In reply to a question from the representative of Germany, the Working Party confirmed that a vehicle subject to marginal 10 282 should not carry dangerous goods once its certificate of approval had expired until it had passed the technical inspection for the renewal of the certificate. The second sentence of 10 282(4) merely stated that if the inspection was performed within the month preceding or following the nominal expiry date it was the nominal expiry date of the certificate and not the inspection date which served to determine the new period of validity.

41. Paragraph 13.2.2.8 (marginal 220 517) was deleted since it was superfluous in view of the provisions concerning electrical equipment in explosive atmospheres.

42. The representative of Austria thought that the requirements for combustion heaters in marginal 10 222 should also be reflected in the table in Chapter 13.2 under "Other" (vehicles).

43. The Working Party said that the requirements of marginal 10 222 (1) only concerned EX/II, EX/III, AT, FL and OX vehicles.

44. The appliances in marginal 10 222 (2) were combustion heaters for heating load compartments and it was not certain that these provisions concerned the base vehicle. They should probably be reflected, together with

the provisions of marginal 10 300 (1) in Chapters 13.3 and 13.4; this was not the case in document TRANS/WP.15/1999/14.

45. The Working Party confirmed that the maximum temperature referred to in paragraph 13.6.1 (a) (see marginal 52 248) was the control temperature prescribed in paragraphs 2.2.41.1 (19) and 2.2.52.1 (16) for each organic peroxide or self-reactive substance.

46. The secretariat explained that the requirement for the carriage of an adequate quantity of coolant which currently appeared in marginal 52 105 (6) (b) had become a Note under the R2 method in 13.6.2 since it was a requirement for use to be included in Part 11 (or 7) and not intended for carriers.

47. The heading of Chapter 13.7 was amended to reflect the fact that these provisions did not apply in the case of demountable tanks with a capacity of less than 1,000 litres.

48. The representative of the United Kingdom wondered what was meant by "running-gear units" in 13.7.1.1 (marginal 211 101 (1)). The Working Party did not give an opinion but did not amend the text which had figured in ADR for a long time. The case of self-supporting semi-trailer tanks placed directly on the running gear was mentioned.

49. The Working Party confirmed that in the context of Chapter 13.7, it was the entire unit of the demountable tank once attached to the carrier vehicle (as prescribed in 13.7.1.2) and not the demountable tank only (as marginal 211 102 (2) currently provided) which must meet the requirements for tank-vehicles.

50. The Working Party also adopted paragraph 13.7.3.1 and confirmed that the requirements concerning the attachments referred to in marginals 211 121 and 212 121 concerned all the attachments between the tank and the vehicle.

51. The Working Party considered that it would be necessary to prescribe a provision for FL vehicles carrying tank-containers similar to that of marginal 211 126, ensuring the possibility of linking the tank-container to the chassis by means of at least one good electrical connection.

52. The representative of Spain proposed that it should also be prescribed that tank-containers should also be required to be fitted with an earth connection capable of taking a current supply cable, but as this requirement did not concern vehicle construction he was invited to submit the proposal to the Joint Meeting in connection with RID/ADR tank-containers and to the United Nations Committee of Experts.

PROPOSALS FOR AMENDMENTS TO ANNEXES A AND B OF ADR

Tank-vehicles

53. The representative of Spain withdrew document TRANS/WP.15/1997/3.

Documents: TRANS/WP.15/1999/13 (Spain)

TRANS/WP.15/1999/15 (Germany)

Informal document: INF.13 (Germany)

54. The representative of Germany introduced the report of the second meeting of an informal working group on the formula for calculating equivalent wall thickness which had met in Paris on 20 January 1999 (INF.13). He said that questions of equivalent thicknesses and rear protection were linked and that he was prepared to draft a new document for the next session.

55. The representative of Spain agreed that these issues should be discussed again at the next session and maintained his proposal.

56. The Working Party recalled that a final decision would have to be taken at the next session.

Document: TRANS/WP.15/1997/10 (AEGPL)

Informal documents: INF.2 (CEN)
INF.10 (AEGPL)
INF.15 (CEN)

57. The Working Party noted that the draft standard prEn 12493 (design and manufacture of tanks for LPG road tankers) was to be amended to include a prescriptive Annex B concerning climatic zone 1 (ADR reference temperatures for design and filling) which could be applied to ADR transport operations, and an informative Annex C concerning climatic zone 2 which could be used in countries wishing to adopt alternative reference temperatures for restricted national and international transport since climatic conditions in those countries would permit less stringent conditions of transport.

58. The majority of the Working Party was not in favour of the notion of two climatic zones for international ADR transport operations. The standard proposed must ensure a level of safety at least equivalent to that of ADR. Derogations for national transport operations came within the competence of each State, or, in the case of the European Union, the European Commission, since the concept of climatic zones had already appeared in Directive 94/55/EEC and the consequences with regard to distortion of competition must be taken into account. For international transport operations, these derogations should be the subject of bilateral or multilateral agreements.

59. Since in the CEN draft standard the provisions concerning tank design differed from those of ADR, the Working Party hoped that CEN would provide adequate proof, based on specific examples, that the safety level of the standard was at least equivalent to that of ADR.

Document: TRANS/WP.15/1999/33 (Italy)

60. The representative of Italy said that he had redrafted document TRANS/WP.15/R.405, concerning the protection of tanks with a polycentric cross-section in the event of lateral impact or overturning in view of the discussions at the previous session.

61. The representative of Switzerland said that he was still not satisfied with the proposal.

62. The representative of Germany said that he would have liked a better solution to be put forward, but he noted that this proposal guaranteed a level of safety equivalent to that currently accepted in accordance with marginal 211 127(4), which he did not regard as ideal.

63. This proposal would be discussed decisively at the next session.

Electrical equipment for explosive atmospheres

Documents: TRANS/WP.15/1998/13 (Sweden)
TRANS/WP.15/1999/12 (OICA/CLEPA)

Informal document: INF.14 (United Kingdom)

64. Following a discussion of these documents the Working Party noted that a number of problems were still outstanding regarding the interpretation of the proposed provisions, particularly in relation to their application to the base vehicle. It would be easier to discuss this document if it were presented in the form of provisions to be included in Part 13 of the restructured ADR.

65. In particular, it was noted that if marginal 10 252 (1) was to apply to the base vehicle, FL vehicles would have to be divided into two categories, one for vehicles fitted with explosion group IIB, temperature class T4 electrical equipment, and the other for vehicles fitted with group IIC, temperature class T6 equipment.

66. The representative of the Netherlands said that the IIC/T6 requirement had been requested by the persons in charge of storage depots for acetylene, hydrogen and carbon disulphide, since these substances appeared in sub-division C of the informative annex to standard EN 50 014. A member of the secretariat said that the list in this annex did not contain all flammable substances of Class 2 or Class 3 of ADR and that it would be useful to know what the criteria were for group IIC and temperature class T6 in order to check whether other substances should not be included (e.g. 1957 deuterium, compressed; 2034 hydrogen and methane mixture, compressed; 2600 carbon monoxide and hydrogen mixture, compressed; 1865 n-propyl nitrate; 2203 silane, compressed, etc.).

67. It was agreed that these questions should be considered by an informal working group which would meet at the invitation of the Government of Germany during the month of July, after preliminary consideration by the constructors who would also meet at the end of June. A new proposal should be submitted by this group to the Working Party at its next session in a form compatible with Part 13 of the restructured ADR (see document TRANS/WP.15/1999/14).

Stability of tank-vehicles

Documents: TRANS/WP.29/1998/36 (Secretariat)
TRANS/WP.15/1999/16 (Germany)

68. The Working Party welcomed the work that the WP.29 Working Party had carried out at its request, noting that the new draft regulation of the 1958 Agreement on uniform provisions concerning the approval of tank-vehicles of categories N and O with regard to rollover stability had not yet been adopted officially.

69. The Working Party adopted the proposal by Germany to supplement marginal 211 128 by introducing a new paragraph stipulating that tank-vehicles equipped with fixed tanks of more than 3,000 litres intended for the carriage of liquids or substances in the molten state, with a test pressure of less than 4 bar, brought into service as from 1 January 2002, should conform to the requirements in question. It would be decided in November whether a reference should be made to the new regulation or, if it had not been adopted, whether the requirements should be introduced directly into ADR.

70. The Working Party stressed that this new requirement was a first stage mainly aimed at tank-vehicles carrying hydrocarbons, but that work should be continued for other tank-vehicles with a test pressure greater than 4 bar.

71. The representative of IRU considered that stability formulae were a safety element for tank-vehicles, and that there were others, such as the form and materials of tanks, their construction and road layout. Since in-depth discussions on the construction of tanks and the materials used would be taking place in the near future, he hoped that the question of stability would be taken into account.

Regulation No.105 of the 1958 Agreement

Informal documents: INF.12 (Secretariat)
INF.16 (Italy)

72. The representative of OICA voiced her concern that as from 1 July 1999 it would no longer be administratively possible to carry out ADR type approvals. The provisions for type approvals had in fact been replaced by a reference to ECE Regulation No.105 which could only be applied once it had been amended to bring it into line with ADR, in other words, not before the end of 1999 or when the corresponding EC Directive became applicable.

73. The representative of Portugal suggested that type approvals could continue to be carried out on the basis of the ADR administrative requirements applicable prior to 1 January 1999 and the technical requirements applicable after 1 January 1999. The Working Party shared this point of view.

74. The Working Party noted the opinion expressed by Italy in document INF.16 to the effect that the WP.15 Working Party should entrust the WP.29 Working Party with the responsibility of preparing the requirements for the construction of vehicles to carry dangerous goods.

75. The meeting was reminded that this proposal ran counter to the established principles whereby W.P.15 should decide on the technical requirements and W.P.29 determine the administrative aspects of type approval. The problem seemed to have been more satisfactorily solved in the European Directive 98/81/EC, corresponding to Regulation No. 105, which simply referred

to the requirements of Appendix B.2 of ADR which were not therefore reproduced at length, thus avoiding problems of updating.

Marginal 220 536 (3) (b)

Document: TRANS/WP.15/1999/10 (OICA)

76. The Working Party adopted the proposed amendment to marginal 220 536 (3) (b) (see annex 2).

Mechanical coupling devices (marginal 11 204)

Document: TRANS/WP.15/1999/24 (Sweden)

77. The Working Party noted that Regulation No. 55 of the 1958 Agreement was not up to date and that a reference to Directive 94/20/EC would be preferable pending its updating. The Working Party adopted an amendment in this sense. However, from a legal point of view, the problem raised by Sweden could only be resolved immediately through multilateral agreements, pending the next amendment of ADR.

References to Regulation No. 13

Document: TRANS/WP.15/1999/31 (France)

78. The Working Party noted that references to Regulation No. 13 of the 1958 Agreement (and other regulations) and to the corresponding European directives "in their latest amended form" led to considerable practical difficulties because the effective dates of application varied from country to country and did not necessarily correspond to the date of the entry into force of the amendment.

79. The Working Party confirmed the interpretation proposed by France for marginal 10 221 (4) as follows:

1. The provisions of Regulation No. 13, 09 series of amendments, or of Directive 71/320/EEC, most recently amended by Directive 98/12/EC, shall be applicable to any new type approval in accordance with marginal 10 281, as from 1 October 1999.
2. The provisions of Regulation No. 13, 09 series of amendments, or of Directive 71/320/EEC, most recently amended by Directive 98/12/EC, shall be applicable to new vehicles first entering into service after 1 April 2001.
3. New vehicles entering into service before 1 April 2001 and not covered by paragraph 1 above shall comply with the provisions of Regulation No. 13, 07 series of amendments, or Directive 71/320/EEC amended by the incorporation of Directive 91/422/EEC.

[-/1999/31, last three paragraphs].

80. The Working Party considered that in view of the difficulties attendant on references to ECE Regulations, it would be appropriate in the future to specify the applicable series of amendments and the dates of application and, if necessary, of adaptation, in order to avoid all ambiguity.

Marginal 2301a (6)

Document: TRANS/WP.15/1998/14 (Austria)

81. The proposal by Austria to delete in paragraph (6) of marginal 2301a the requirement for compliance of fuel tanks with the technical requirements of ECE Regulation No. 34 or Directive 70/221/EEC was adopted, principally because it was not possible for the monitoring authorities to check whether this requirement was complied with in practice.

82. The representative of France recalled that the current provision had been the subject of in-depth discussions to remedy the problems caused by vehicle shells in the event of an accident, in view of the experience of recent repeated accidents with dramatic consequences in the past few years. She therefore entered a reservation in respect of the Working Party's decision.

Marginal 21 212

Document: TRANS/WP.15/1999/1 (Germany)

83. The proposed amendment to marginal 21 212 was adopted (see annex 2).

Marginal 41 414 (4)

Document: TRANS/WP.15/1999/2 (Germany)

84. The proposed amendment was adopted (see annex 2).

Marginal 11 311

Documents: TRANS/WP.15/1999/3 (Germany)
TRANS/WP.15/1999/8 (FIATA)

85. The Working Party decided that the presence of a driver's assistant on board vehicles carrying substances and articles of Class 1 was not necessary in terms of safety.

86. Several delegations remarked that the presence of the driver's assistant had made it possible to limit the consequences of accidents and that in many countries the presence on board of a driver's assistant would in any case be required for safety reasons. Following this decision, therefore, more checks would be necessary on their territory to ascertain whether a driver's assistant was on board.

Marginal 10 385 (3)

Documents: TRANS/WP.15/1999/6 (Belgium)

TRANS/WP.15/1999/23 (Switzerland)
INF.4 (Finland)

87. The proposal by Belgium to inform the other Contracting Parties of the official language or languages applicable throughout the territory or in each region under marginal 10 385 was adopted.

88. The representative of CEFIC said that the requirement of marginal 10 385 concerning the wording of the instructions in writing in different languages raised so many problems for the industry that it would certainly be necessary to come back to it.

89. The Working Party took note of the languages required in Switzerland depending on the region traversed and of those (Finnish and Swedish) required in Finland.

Marginal 31 500 (2)

Documents: TRANS/WP.15/1999/9 (Austria)
TRANS/WP.15/1999/29 (France)

90. The proposal by Austria was adopted along with the amendments proposed by France (see annex 2).

Marginal 11 500

Document: TRANS/WP.15/1999/17 (Germany)

91. The proposal to adapt the terminology of marginal 11 500 to that of marginals 10 500 and 71 500 was adopted (see annex 2).

Marginal 11 402

Document: TRANS/WP.15/1999/20 (United Kingdom)

92. The proposal not to take account of dangerous goods of Class 1, Division 1.4, compatibility group S in calculations for mixed loading was adopted (see annex 2).

Marginal 10 011 (1) and 10 381 (1)

Document: TRANS/WP.15/1999/25 (Austria)

93. The proposals by Austria were adopted in principle, but the concordance of the texts and the details recommended in the restructured ADR should be checked.

Consolidated resolution R.E.2 (TRANS/SC.1/299/Rev.3)

Document: TRANS/WP.15/1999/26 (Austria)

94. The Working Party endorsed the proposal by Austria for transmission to the SC.1/WP.1 Working Party for the rectification of resolution R.E.2 in respect of road signs intended for vehicles carrying dangerous goods.

Marginal 2011 and 10 602

Document: TRANS/WP.15/1999/28 (Poland)

95. The Working Party adopted the principle that during a transitional period it was not necessary to indicate in the transport document that the transport operation was being performed in accordance with the provisions previously in force.

Marginal 10 240 (3)

Document: TRANS/WP.15/1999/30 (France)

96. The proposal would be discussed at the next session.

TRANSITIONAL PROVISIONS

Informal document: INF.7 (Spain)

97. The Working Party noted that Spain would submit an official proposal at the November session.

FOLLOW-UP OF THE REGIONAL CONFERENCE ON TRANSPORT AND THE ENVIRONMENT

98. The Working Party noted that a joint meeting of the Inland Transport Committee and the Committee on Environmental Policy would take place on 6 July 1999.

PROGRAMME OF WORK

99. The Working Party reiterated its wish to complete the work of restructuring in 1999 and decided to give it absolute priority at its next session. It hoped that the Joint Meeting would show the same determination.

100. The sixty-seventh session would be held in Geneva from 8 to 12 November 1999 and the following agenda was adopted:

1. Adoption of the agenda: Monday 8 November
2. Restructuring of ADR: Monday 8, Tuesday 9 and Wednesday 10 November
3. Proposals for amendments to Annexes A and B of ADR: Thursday 11 November
 - (a) Tank-vehicles
 - (b) Electrical equipment for explosive atmospheres

(c) Stability of tank-vehicles

(d) Other proposals

4. Elections: Thursday 11 November

5. Adoption of the report: Friday 12 November

ADOPTION OF THE REPORT

101. The Working Party adopted the report and the annexes thereto.

Annex 1

Amendments to the proposals for the restructured ADR
(Parts 12 and 13)

Document: TRANS/WP.15/1999/7 adopted with the following amendments:

Heading of Part 12, amend to read:

"REQUIREMENTS FOR VEHICLE CREWS, EQUIPMENT, OPERATION AND DOCUMENTATION".

Throughout the English text, amend "dangerous substances" to read "dangerous goods".

Section 12.1.1: Place "or semi-trailer" in brackets.

Section 12.1.2.1 (b): Amend to read: "The instructions in writing prescribed in section [5.4. ..], relating to all the dangerous goods carried."

Section 12.1.2.2 (b): Place "Appendix B.6" in square brackets.

Section 12.1.3.1 (b): Insert "or equal to" after "maximum laden weight of less than ...".

Amend "12.1.2.2" and "12.1.2.3" to read: "12.1.3.2" and "12.1.3.3".

Section 12.1.4 (b): Amend "safety instructions" to read "instructions in writing".

Section 12.1.4 (c): Amend "safety instructions" to read "instructions in writing".

Section 12.2.1: Amend to read:

CHAPTER 12.2

GENERAL REQUIREMENTS CONCERNING THE VEHICLE CREW

12.2.1 Special training of drivers [10 315, 11 315 and 71 315]

12.2.1.1 Drivers of vehicles with a permissible maximum weight exceeding 3.5 tonnes carrying dangerous goods, drivers of vehicles referred to in paragraph 12.2.1.3 and drivers of other vehicles referred to in paragraph 12.2.1.4 shall hold a certificate issued by the competent authority or by any organization recognized by that authority stating that they have participated in a training course and passed an examination on the particular requirements that have to be met during carriage of dangerous goods.

12.2.1.2 Drivers of vehicles specified in paragraph 12.2.1.1 shall attend a basic training course. Training shall be given in the form of a course

approved by the competent authority. Its main objectives are to make drivers aware of hazards arising in the carriage of dangerous goods and to give them basic information indispensable for minimizing the likelihood of an incident taking place and, if it does, to enable them to take measures which may prove necessary for their own safety and that of the public and the environment, for limiting the effects of an incident. This training, which shall include individual practical exercises, shall act as the basis of training for all categories of drivers covering at least the subjects defined [in marginal 240 102 of Appendix B.4].

12.2.1.3 Drivers of vehicles carrying dangerous goods in fixed tanks or demountable tanks with a capacity exceeding 1,000 litres, drivers of battery-vehicles with a total capacity exceeding 1,000 litres and drivers of vehicles carrying dangerous goods in tank-containers with an individual capacity exceeding 3,000 litres on a transport unit, shall attend a specialization training course for transport in tanks covering at least the subjects defined [in marginal 240 103 of Appendix B.4].

12.2.1.4 Irrespective of the permissible maximum weight of the vehicle, drivers of vehicles carrying substances or articles of Class 1 (see special provision S01 in Chapter 12.4) or certain radioactive material (see special provisions S11 and S12 in Chapter 12.4) shall attend specialization training courses covering at least the subjects defined [in marginals 240 104 and 240 105 of Appendix B.4].

12.2.1.5 By means of appropriate endorsements on his certificate made every five years by the competent authority or by any organization recognized by that authority, a vehicle driver shall be able to show that he has in the year before the date of expiry of his certificate completed a refresher training course and has passed corresponding examinations. The new period of validity shall begin with the date of expiry of the certificate.

12.2.1.6 Initial or refresher basic training courses and initial or refresher specialization training courses may be given in the form of comprehensive courses, conducted integrally, on the same occasion and by the same training organization.

12.2.1.7 Initial training courses, refresher courses, practical exercises, examinations and the role of competent authorities shall comply with the provisions of [Appendix B.4].

12.2.1.8 All training certificates conforming to the requirements of this marginal and issued in accordance with the model shown in [Appendix B.6] by the competent authority of a Contracting Party or by any organization recognized by that authority shall be accepted during their period of validity by the competent authorities of other Contracting Parties.

12.2.1.9 The certificate shall be prepared in the language or one of the languages of the country of the competent authority which issued the certificate or recognized the issuing organization and, if this language is

not English, French or German, also in English, French or German, except where

otherwise provided by agreements concluded between the countries concerned with the transport operation.

Section 12.2.2: Amend to read as follows:

"Training of all persons, other than those drivers referred to in 12.2.1, involved in the carriage of dangerous goods by road".

(1) Persons whose duties concern the carriage of dangerous goods by road shall receive training in the requirements governing the carriage of such goods appropriate to their responsibilities and duties. This requirement shall apply to individuals such as personnel who are employed by the road vehicle operator or the consignor, personnel who load or unload dangerous goods, personnel in freight forwarding or shipping agencies and drivers not referred to in 12.2.1.

(2) The training shall take the following form, appropriate to the responsibility and duties of the individual concerned:

(a) General awareness training

Personnel shall be familiar with the general requirements of the provisions for the carriage of dangerous goods by road.

(b) Function-specific training

Personnel shall receive detailed training, directly commensurate with their duties and responsibilities, in the provisions of the regulations concerning the carriage of dangerous goods by road.

(c) Safety training

Commensurate with the degree or risk of injury or exposure arising from an incident involving the carriage of dangerous goods, including loading and unloading, personnel shall receive training covering the hazards and dangers presented by dangerous goods.

The training provided shall aim to make personnel aware of the safe handling and emergency response procedures, together with an awareness of the requirements of other modes of transport, where the carriage of dangerous goods will involve a multimodal transport operation.

(3) Details of all training undertaken shall be kept by both the employer and the employee and shall be verified upon commencing any new employment. The training of personnel involved in the carriage of dangerous goods by road shall be periodically supplemented with refresher training to take account of changes in regulations.

Section 12.2.3: Amend "substances" to read "goods".

Section 12.2.4.2: Amend to read:

"Prohibition on opening packages

A driver or a driver's assistant may not open a package containing dangerous goods."

Section 12.2.4.3: Amend "light apparatus" to read "lighting apparatus".

Section 12.2.4.6: Amend the heading to read "Use of the parking brake". Amend "substances" to read "goods".

Section 12.2.4.7: Amend "substances" to read "goods" and delete at the end "furnished with the documents on board".

Chapter 12.3: Amend beginning to read: "Vehicles carrying dangerous goods in the quantities shown in special provisions S01 (6) and [S14-S21] of Chapter 12.4 ...".

Chapter 12.4: In the heading, amend "substances" to read "goods".

ADDITIONAL REQUIREMENTS

S01 (6): Amend "Empty packagings are exempted" to read "Empty, uncleaned packagings are exempted".

S02 (1): Delete "group F".

(3): Remove the square brackets around the paragraph.

Delete "[substances having a flashpoint of 61° C or below]".
Delete the square brackets around "vehicles of type FL".

S03: Amend "dangerous substances" to read "dangerous goods". Amend "12.1.2.1 (b)" to read "12.1.3.1 (b)". Amend "12.1.2.3" to read "12.1.3.3".

S05: Delete 12.1.2.3, 12.1.2.4.

S06: Amend "para. 572" to read "para. 573".

S11 to S37: Renumber as S07 to S21.

Delete S17. S21 becomes S08. Amend "51 509" to read "52 509".

S23 (new S11): In paragraph (2), place "in marginal 240 105 of Appendix B.4" in square brackets. At the end, delete "2915" and "3332" (i.e. S11 should also apply to UN 2915 and 3332).

S24 Amend to read as follows:
(new S12):

If the total number of packages containing radioactive material carried does not exceed 10, and the sum of the transport indices does not exceed 3, special provision S11 need not be applied. However, drivers shall then receive appropriate training, commensurate with and appropriate to their duties, which provides them with an awareness of the radiation hazards involved in the carriage of radioactive material. Such awareness training shall be confirmed by a certificate provided by their employer.

S32 Amend the reference to Class 4.2 to Class 5.2, and amend "42 321" (new S16): to read "52 321".

Document: TRANS/WP.15/1999/14 adopted with the following amendments:

Amend the title of Part 13 to read: "REQUIREMENTS FOR VEHICLE CONSTRUCTION AND APPROVAL". Also amend the heading under "CHAPTER 13.1".

CHAPTER 13.1

Section 13.1.1.1: Place the definition of "vehicle" in square brackets.

Delete the square brackets around the definition of "Base vehicle".

In the definition of "Vehicle type", amend "this Appendix" to read "Chapter 13.2".

Section 13.1.1.2: Renumber as 13.1.2.1 and place after 13.1.2.

Insert the following below the heading of Section 13.1.2:

"Note. No special certificates of approval shall be required for vehicles other than EX/II, EX/III, FL, OX or AT vehicles, apart from those required by the general safety regulations generally applicable to vehicles in the country of origin."

Insert a new heading "Individual Approval" under the Note to Section 13.1.2.

Section 13.1.2.1: Renumber as 13.1.2.1.1. At the end of this section, delete "mentioned above".

Section 13.1.2.2: Renumber as 13.1.2.1.2. Amend "subject to" to read "attested by".

Section 13.1.2.3: Renumber as 13.1.2.1.3.

Section 13.1.2.4: Renumber as 13.1.2.1.4. At the end, delete "[Appendices B.1a and B.1c]" and remove the square brackets around "Chapters 6.8 and 6.9".

Section 13.1.2.5: Renumber as 13.1.2.2.

Sections 13.1.2.5.1 and 13.1.2.5.2 become 13.1.2.2.1 and 13.1.2.2.2 respectively.

Section 13.1.3: Delete.

CHAPTER 13.2

In the Table, amend "13.2.3.1 BRAKING" to read "13.2.3 BRAKING". Insert a new line "13.2.3.1/-special provisions" and move the Xs against BRAKING to align instead with "-special provisions".

In the Table, amend "13.2.4.1" to read "13.2.4.2.1" and "13.2.4.2" to read "13.2.4.2.2".

In Note g/ to the Table, insert "with a maximum mass of 12 tonnes" after "Applicable to motor vehicles ...".

Section 13.2.2.2: Amend the reference to read "220 511".

Section 13.2.2.8 (Electrical lifting mechanism): Delete.

Section 13.2.4.4: Remove the square brackets.

Section 13.3.1: Delete "and articles".

CHAPTER 13.4

Insert at the end: ", for a given substance."

CHAPTER 13.6

Section 13.6.1 (a): Delete "[that the maximum temperature prescribed in 52 105]" and remove the other square brackets.

In the French text, at the end, amend the reference to read "52 248".

Section 13.6.2, R4: In the French text, replace "B et C" with "R2 et R3".

CHAPTER 13.7

Section 13.7.1.1: Place in square brackets.

Section 13.7.1.3: Add at the end of the first paragraph: "as defined in [6.2 and 6.8]".

Delete the indented texts.

Section 13.7.2: In the English text replace "tank/tanks" by "shell/shells" throughout.

Section 13.7.2.3: Place in square brackets.

Annex 2

Draft amendments to Annexes A and B of ADR
(scheduled entry into force: 1 January 2001)

Marginal

- 2011: Second sentence, delete.
(Reference: TRANS/WP.15/1999/28)
- 2301a (6): Amend to read:

"The fuel referred to in [paragraph (4)] above may be carried in fixed fuel tanks, directly connected to the vehicle's engine and/or auxiliary equipment, which comply with pertinent legal provisions, or may be carried in portable fuel containers (such as jerricans)" (remainder unchanged).
(Reference: TRANS/WP.15/1998/14)
- 10 011 (1): Amend to read:

"- Transport documents, container packing certificate and texts of any special agreement - marginal 10 381 (1)".
(Reference: TRANS/WP.15/1999/25)
- 10 381 (1) (a): Amend to read:

"(a) the transport documents prescribed in Annex A, marginal 2002 (3) (a), (4) and (9), covering ..." (remainder unchanged).
(Reference: TRANS/WP.15/1999/25)
- 10 385 (3): Add the following sentence:

"In the case of countries with more than one official language, the competent authority shall specify the official language or languages applicable throughout the territory or in each region or part of the territory."
(Reference: TRANS/WP.15/1999/6)
- 10 604: Second sentence, delete.
(Reference: TRANS/WP.15/1999/28)
- 11 311 (1)-(3): Delete.
(Reference: TRANS/WP.15/1999/8)

11 402 (Section 6.5.8.4, special requirement SR83): Add the following sentence:

"However, the net mass of explosives of compatibility group S shall not count towards the limitation of quantities carried."

(Reference: TRANS/WP.15/1999/20)

11 500 (1)-(5): Replace "transport units" by "vehicles".

(Reference: TRANS/WP.15/1999/17)

21 212: Amend to read:

"If packages containing gases of [1°] other than air, compressed (UN No. 1002) [of 1°A, 2°, 3°] or acetylene, dissolved (UN No. 1001) [of 4°F] are carried in a closed vehicle, the vehicle shall be provided with adequate ventilation."

(Reference: TRANS/WP.15/1999/1)

31 500 (2): Amend to read:

"For tank-vehicles or transport units having one or more tanks carrying substances with UN Nos. 1202, 1203 or 1223, or aviation fuel classed under UN Nos. 1268 or 1863, but no other dangerous substance, the orange-coloured plates prescribed in [marginal 10 500 (2)] need not be affixed, if the plates affixed to the front and rear ..." (remainder unchanged).

(Reference: TRANS/WP.15/1999/9 and TRANS/WP.15/1999/29)

41 414 (4): Beginning, amend to read:

"Packages containing substances of [31°-50°] shall be loaded ..." (remainder unchanged).

(Reference: TRANS/WP.15/1999/2)

211 128: Add a new paragraph (2) to read:

"[(2) In addition, tank-vehicles with fixed tanks with a capacity of more than 3,000 litres intended for the carriage of dangerous goods in the liquid or molten state, and tanks tested with a pressure of less than 4 bar, shall comply with the following requirements for lateral stability. The requirements are applicable to tank-vehicles which are first put into service as from 1 January 2002.]"

The text of the draft Regulation drawn up by GRRF (WP.29) and currently contained in document TRANS/WP.29/1998/36 can then be incorporated into ADR once the draft Regulation has been adopted.

(Reference: TRANS/WP.15/1999/16)

220 536 (3) (b) (Section 13.2.4.7.3 (b) of the restructured text): Amend to read:

"Stopping of the vehicle engine; in this case the heating device may be restarted manually by the driver."
(Reference: TRANS/WP.15/1999/10)

Section 13.2.6 of the restructured text: end, add:

"or Directive 94/20/EC".
(Reference: TRANS/WP.15/1999/24)

Document TRANS/WP.15/1999/26, adopted. A pertinent proposal will be submitted to the WP.1 Working Party.
