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## 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

Bern, 17–21 March 2014

Item 5 (b) of the provisional agenda

#### Proposals for amendments to RID/ADR/ADN: New proposals

### Special provision 363

Transmitted by the Government of Switzerland<sup>1,2</sup>

#### *Summary*

**Executive summary:** Permit an exemption under special provision 363 for machinery and equipment that contain quantities of petroleum products below those indicated in column (7a) of Table A of Chapter 3.2 (limited quantities).

**Action to be taken:** Amend the text of special provision 363 to remove the reference to quantities of petroleum products below those indicated in column (7a) of Table A of Chapter 3.2.

<sup>1</sup> In accordance with the programme of work of the Inland Transport Committee for 2012–2016 (ECE/TRANS/224, para. 94, ECE/TRANS/2012/12, programme activity 02.7 (A1c)).

<sup>2</sup> Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2014/29.



## Introduction

1. Special provision 363 exempts, under certain conditions, UN Nos. 1202, 1203, 1223, 1268, 1863 and 3475 from the provisions of ADR when those products are used in means of containment integral to equipment or machinery, and on condition that the quantities of products are above the limits specified in column (7a) of Table A of Chapter 3.2, that is to say when the limited quantities (LQ) specified in relation to Chapter 3.4 are exceeded.

2. According to the provisions as they stand, machinery whose contents are below the LQ are de facto subject to more restrictive requirements than machinery containing quantities above the LQ. The exemption under 1.1.3.1 (b), which applied before the entry into force of special provision 363, is no longer applicable precisely because of the existence of special provision 363. Yet in view of its low content in dangerous substances, such machinery should also be exempt.

3. In order to resolve this problem, we believe that a simple solution would be for special provision 363 not to mention “above the quantities specified in column (7a) of Table A of Chapter 3.2”. This would have no impact in practice as machinery containing quantities below the LQ already meet the requirements of special provision 363 without modification. The machinery does not need to be labelled and requires no transport document.

## Proposal

In special provision 363 delete “, above the quantity specified in column (7a) of Table A of Chapter 3.2,”.

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