

## **Economic Commission for Europe**

### **Inland Transport Committee**

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

**10 September 2014**

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

Geneva, 15-19 September 2014

Item 5 (a) of the provisional agenda

#### **Proposals for amendments to RID/ADR/ADN: pending issues**

### **Comments on document INF 30**

#### **Lithium batteries in battery powered vehicles under UN 3166 and 3171**

##### **Transmitted by the Government of France**

1. We took note of the comments by RECHARGE in INF 30 and are happy to see that there are very little substantial differences with the initial proposal in document ECE/TRANS/WP15/AC1/2014/51.
2. However the proposals in INF 30 contain some changes that create a problem from the formal point of view:
  - (a) A reference to 1.1.3.1 d) is not completely appropriate in this context because this provision refers to transports done by the competent authorities only or under their supervision;
  - (b) There is a clear link between the problematic of carriage of damaged vehicles and special provision 376. However special provision 376 is part of the Model Regulations and should not be changed in ADR/RID. If specific provisions have to be defined for land transport in RID ADR countries they should be assigned specific members;
  - (c) The very fact that the specific provisions for vehicles are mentioned in all these different parts of RID ADR makes the situation confused and this is not clarified by the proposals in INF 30.
3. The problem with the existing text in RID ADR relating to batteries in vehicles but also to other dangerous goods contained is that there are several places where exemptions were introduced over time and the global picture creates some ambiguity.
  - (a) There is a global exemption concerning vehicles as such in the table that does not say anything about contained goods;
  - (b) There are specific exemptions concerning fuel in tanks of transported vehicles in 1.1.3. If the exemptions mentioned in the table are so general why is it then necessary to mention additional exemption in Part 1? Furthermore the exemption in Part 1 contain minimal requirements such as closing the cocks and opening the electric contact. If the interpretation currently used that the indication in the table exempts vehicles from RID ADR then it shall be considered that the minimal provisions in 1.1.3 equally part of RID ADR shall not apply either thus

making it possible to carry a vehicle with an open fuel tank. If we consider that these additional provisions apply in spite of the indication in the table then the requirements concerning the batteries in a vehicle are very unclear.

- c) The definitions of vehicle on which the scope of all these exemptions depends are in a note in Part 2 concerning the classification criteria for Class 9. According to the structure of RID ADR this is not the most logical place.
4. Therefore we believe that it is necessary to improve the existing text. However, as stated in a note at the end of document ECE/TRANS/WP15/AC1/2014/51, the UN sub committee will probably adopt some changes to special provisions concerning vehicles. Thus it is probably not relevant to adopt any text at this meeting.
5. The French delegation would be happy to present a new proposal based on the decisions made at UN level. To help this work the joint meeting could decide on which format would be the most relevant. Two options could be followed:
- (a) To mention all exemptions related to dangerous goods in a vehicle performing transports operations in part 1, and all exemptions concerning vehicles carried as goods in special provisions related to the suitable UN numbers in the table. This is the way followed in the Model Regulations;
  - (b) To mention both type of exemptions in Part 1 and only mention references to these in the table. This option is also logical with the structure of RID ADR but requires to transfer some text under Part 1 and is further away to harmonisation with the model rules
6. Substantially both the option shall be identical, reproduce the existing requirements in 1.1.3 for tanks clarify the conformity of batteries with tested design types except for prototypes and small productions.
7. The transport of damaged vehicles shall be clarified in both cases where the battery is subject or not to special provision 376. This is a totally new issue as this special provision will enter into force in 2015 only, and cannot be dealt with in reference to old provisions. However to make the transport of damaged vehicle possible some exemption to special provision 376 are necessary as long as the battery cannot be taken out of the vehicle.
8. As there are no provision for other dangerous goods used in vehicles (such as air-bags...) a clarification that these are exempted from RID ADR when installed in vehicles may be introduced also.
9. The Joint meeting may wish to indicate a preferred option.

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