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INLAND TRANSPORT COMMITTEE

**Working Party on the Transport
of Dangerous Goods
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PART 9 OF ADR

9.3.4 EX/III VEHICLES

Transmitted by the Government of Norway

SUMMARY

Executive Summary:	The present text of 9.3.4 has led to interpretations regarding the materials to be used in the construction of the load compartments that differs among the member states, and which also have created problems with the construction/approval of EX/III vehicles in member states.
Action to be taken:	Change the text in 9.3.4.
Related documents:	TRANS/WP.15/2002/3 and TRANS/WP.15/170

Introduction

The text in 9.3.4 has caused problems both for regulators and the industry for many years. Several attempts has been made to change the text, but so far one has not succeeded in making provisions that are easy to interpret and/or fullfill. This was also part of the discussions in the working group that met in Norway in 2001 (see TRANS/WP.15/2002/3).

During the discussions on the proposals from the working group, as presented in TRANS/WP.15/2002/3, it became clear that the interpretation of the present regulations, as well as the conception of the required level of safety, varied amongst the member states. The

outcome from the discussions in WP.15 was put in square brackets pending further input and discussions (see TRANS/WP.15/170 paragraph 50, and Annex 2).

Proposal

Change the text of 9.3.4.2 to read:

“Materials used for the construction of the body shall satisfy the requirements for fire resistance as proven by tests in accordance with standard [EN 1364-1:1999] as regards materials for the walls and the roof, and in accordance with standard [EN 1365-2:2000] as regards materials for the floor.

If the material used for the body is metal, or metal containers or metal swap bodies are used as EX/III load compartments, the complete inside of the body, container or swap body shall be covered with fire resistant plywood with a minimum thickness of 10 mm.

Justification

This change will facilitate the work of both regulators and manufacturers of vehicles/bodyworks in that there will be references to internationally accepted standards and requiring materials that are easily obtainable. It will furthermore ensure a uniform interpretation and level of safety in all member states without requiring expensive testing of constructions.

The reference to metal containers is added due to the fact that this is a very common practice, and the present text of 7.1.2, 7.1.5 and 7.2.4 V2 (2) is deemed not to be sufficiently clear to establish a uniform interpretation of the regulations as well as a uniform level of safety.

Safety implications

This change will make it possible to obtain the same level of safety throughout the whole ADR area without introducing great costs to the industry. The criteria for fire resistance will, along with the adopted changes to 9.3.4.1 (see TRANS/WP.15/170 Annex 2) assure that no dangerous heat transfer through the floorboards and walls will occur within a reasonable time of exposure.

Feasibility

No problems in practice are to be envisaged by this change. On the contrary it will facilitate international transport of Class 1 goods as well as remove an obstacle for the uniform approval of EX/III vehicles.

Enforceability

Norway sees no problems of enforceability with this change. The changes will facilitate the approval procedures for EX/III vehicles by introducing references to standards that will make it simple to verify the fire resistance of the load compartments upon approval of the vehicle.
