

Proposal for draft 04 series of amendments to Regulation No. 105
(ADR vehicles)

Note: The text reproduced below was prepared by the expert from OICA in order to align the requirements of Regulation No. 105 on the last amendments of the European Agreement concerning the international carriage of Dangerous goods by Road (ADR) as reproduced in document ECE/TRANS/WP.15/186, part 9 (pages 78 to 80).

A. PROPOSAL

Paragraph 5.1., amend the table to read:

TECHNICAL SPECIFICATIONS		VEHICLE DESIGNATION (according to chapter 9.1 of Annex B to ADR)				
		EX/II	EX/III	AT	FL	OX
...
5.1.2.7.	Combustion heaters					
5.1.2.7.1., 2. and 5.		X	X	X	X	X
5.1.2.7.3. and 4.					X	
5.1.2.7.6.		X	X			
...

Paragraph 5.1.2.7.1., amend to read:

“5.1.2.7.1. ~~(reserved)~~ **Combustion heaters shall comply with the relevant technical requirements of ECE Regulation No. 122 (including those of Annex 9) as amended, in accordance with the dates of application specified therein.**”

Paragraphs 5.1.2.7.2. to 5.1.2.7.6.

To be deleted.

Paragraph 5.1.4., amend to read:

“5.1.4. Power driven vehicles (rigid vehicles and tractors for semi-trailers) with a maximum mass exceeding ~~12 tonnes~~ **3.5 tonnes** shall be equipped with a speed limitation device...”

Delete paragraphs 10.1. to 10.6. and insert new paragraphs 10.1. to 10.5., to read:

"10.1. As from the official date of entry into force of the **04** series of amendments, no Contracting Party applying this Regulation shall refuse to grant ECE approval under this Regulation as amended by the **04** series of amendments.

- 10.2. As from 1 January 2008 Contracting Parties applying this Regulation shall grant ECE approvals only if the vehicle type to be approved meets the requirements of this Regulation as amended by the **04** series of amendments.
- 10.3. Contracting Parties applying this Regulation shall continue to grant approvals [and extensions of such approvals] to those types of vehicle which comply with the requirements of this Regulation, as amended by the preceding series of amendments until 31 December 2007.
- 10.4. No Contracting Party applying this Regulation shall refuse national or regional type approval of a vehicle type approved to the **04** series of amendments to this Regulation.
- 10.5. As from 1 January 2008, no Contracting Party applying this Regulation shall grant national or regional type approval of a vehicle type approved to the preceding series of amendments to this Regulation."

Annex 2 Model A, amend to read:

"...(according to ~~marginal 220-301(2)~~ **paragraph 9.1.1.2** of the ADR)...".

B. JUSTIFICATION

The above draft amendments aim to align ECE Regulation No. 105 on the new requirements of ADR to be enforced in 2007.

Paragraph 5.1.2.7.1.

On-board combustion heaters shall comply with the requirements of ECE Regulation No. 122. The reference to the corresponding directive (Directive 2001/56/EC) has been deleted as such reference cannot be present in a regulation attached to the 1958 Agreement.

Paragraph 5.1.2.7.2. to 5.1.2.7.6

Paragraphs are redundant as the requirements are now contained in Annex 9 of ECE Regulation No. 122.

Paragraph 5.1.4.

Power driven vehicles above 3,5 tonnes shall be equipped with a speed limitation device conforming to ECE Regulation No. 89. This amendment is of some importance as it will force the manufacturers to install those devices on vehicles between 3,5 tonnes and 12 tonnes in addition to vehicles above 12 tonnes. As a consequence major re-designs are to be performed on the vehicles in production and this needs transitional provisions.

Paragraphs 10.1 to 10.5

Proper transitional provisions are deemed necessary as per the guidelines emitted by WP29 (document TRANS/WP29/1044), i.e. any change in the technical requirements of the vehicle must lead to transitional provisions. The dates indicated in the proposal above are aligned on the amendments to ADR.

Annex 2 Model A

When the ADR was re-structured in 2001 the paragraph reference was changed, but this Regulation was overlooked.
