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Item 7 (a) of the provisional agenda

PROPOSALS FOR AMENDMENTS TO RID/ADR/ADN

Pending issues

Period of validity of type approvals and transitional measures for standards

Transmitted by the Government of Belgium^{1,2}

SUMMARY

Executive summary: A clarification is proposed for the words “*if they may continue to be used*” in paragraphs 1.8.7.2.4 and 6.8.2.3.3 of RID/ADR/ADN.

Related documents: ECE/TRANS/WP.15/AC.1/114, paras. 48-51 ;
ECE/TRANS/WP.15/AC.1/114/Add.1, page 3, para. 12.

¹ In accordance with the programme of work of the Inland Transport Committee for 2006-2010 (ECE/TRANS/166/Add.1, programme activity 02.7 (c)).

² Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2009/33.

Introduction

1. During the last RID/ADR/ADN Joint Meeting it was decided to introduce the following new 1.8.7.2.4 (and a comparable 6.8.2.3.3) :

"1.8.7.2.4 The type approval shall be valid for a maximum of ten years. If within that period the relevant technical requirements of RID/ADR (including referenced standards) have changed so that the approved type is no longer in conformity with them, the relevant body which issued the type approval shall withdraw it and inform the holder of the type approval.

NOTE: For the ultimate dates for withdrawal of existing type approvals, see column (5) of the tables in 6.2.4 and 6.8.2.6 or 6.8.3.6 as appropriate.

If a type approval has expired or has been withdrawn, the manufacture of the pressure receptacles, tanks, battery-wagons/vehicles or MEGCs according to that type approval is no longer authorised.

In such a case, the relevant provisions concerning the use and periodic inspection of pressure receptacles, tanks, battery-wagons/vehicles or MEGCs contained in the type approval which has expired or has been withdrawn shall continue to apply to these pressure receptacles, tanks, battery-wagons/vehicles or MEGCs constructed before the expiry or the withdrawal **if they may continue to be used**.

Type approvals may be renewed by a complete review and assessment for conformity with the provisions of RID/ADR applicable at the date of renewal. Renewal is not permitted after a type approval has been withdrawn. Interim amendments of an existing type approval (e.g. for pressure receptacles minor amendments such as the addition of further sizes or volumes not affecting conformity, or for tanks see 6.8.2.3.2) do not extend or modify the original validity of the certificate.

NOTE: The review and assessment of conformity can be done by a body other than the one which issued the original type approval.

The issuing body shall keep all documents for the type approval (see 1.8.7.7.1) for the whole period of validity including its renewals if granted."

2. The representative of Belgium was of the opinion that the words "if they may continue to be used" at the end of the third paragraph are not self-evident and need to be clarified (cfr. ECE/TRANS/WP.15/AC.1/114, para. 51).

Proposals

4. Introduce the following new paragraph in 1.8.7.2.4, after the one ending with “before the expiry or the withdrawal if they may continue to be used.” :

“Pressure receptacles, tanks, battery-wagons/vehicles or MEGCs manufactured in accordance with a type approval may continue to be used after the type approval has expired or has been withdrawn so long as they are still in conformity with the current relevant technical requirements of RID/ADR (including referenced standards). If they are no longer in conformity with the current relevant requirements of RID/ADR (including referenced standards) because of a change in those requirements, they may continue to be used only if such use is permitted by relevant transitional measures in chapter 1.6.”

5. Introduce the following new paragraph in 6.8.2.3.3, after the one ending with “before the expiry or the withdrawal if they may continue to be used.” :

“Tanks, battery-wagons/vehicles or MEGCs manufactured in accordance with a type approval may continue to be used after the type approval has expired or has been withdrawn so long as they are still in conformity with the current relevant technical requirements of RID/ADR (including referenced standards). If they are no longer in conformity with the current relevant requirements of RID/ADR (including referenced standards) because of a change in those requirements, they may continue to be used only if such use is permitted by relevant transitional measures in chapter 1.6.”
