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Working Party on the Transport of Dangerous Goods

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Item 6 (b) of the provisional agenda

Proposals for amendments to annexes A and B of ADR:

Miscellaneous proposals

Section 5.3.2: General orange-coloured plate marking provisions

Transmitted by the Governments of Sweden and Germany¹

Summary

Executive summary: For safety reasons, a trailer should display orange coloured plates at the rear also when separated from its motor vehicle during carriage.

Action to be taken: Add a second paragraph in sub-section 5.3.2.1.1.

Related documents: Informal document INF.15 (Sweden) (eighty-seventh session),
Informal document INF.32 (Germany and OTIF) (eighty-seventh session),
ECE/TRANS/WP.15/2010/4 (Sweden and Germany),
Informal document INF.29 (Germany and Sweden) (eighty-eighth session),
Informal document INF.32 (Austria) (eighty-eighth session),
Informal document INF.35 (Germany, Austria and Sweden) (eighty-eighth session).

¹ The present document is submitted in accordance with paragraph 1(c) of the terms of reference of the Working Party, as contained in document ECE/TRANS/WP.15/190/Add.1, which provides a mandate to “Develop and update the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR)”.

Introduction

1. At two previous sessions, the Working Party has discussed plate-marking on trailers when separated from the motor vehicle. At these sessions, it seemed the majority of the delegations supported the principle to require orange coloured plates for such trailers. However, the Working Party has not been able to agree on the text to be introduced in ADR.
2. At the eighty-eighth session, Sweden and Germany decided to consider the different views and come back with a revised proposal.

Background

3. Sub-section 5.3.2.1.1 requires that transport units shall display orange-coloured plates at the front and at the rear. However, a trailer without a motor vehicle is not a transport unit any longer, according to the definition of "Transport unit" in section 1.2.1. Thus, when such a trailer is separated from its motor vehicle and parked during the transport chain, currently there are no provisions in ADR that requires the separated trailer to have any orange-coloured plates at all. In other words: it could be understood, that it is not required to have any plates on a trailer when it is separated from its motor vehicle during carriage/in the transport chain.
4. This gap in the provisions is a problem, not only in harbours and at terminals, but also in situations where trailers are parked at lay-bys for goods vehicle, where trailers (still under carriage) might be separated from their motor vehicles during deliveries.
5. This leads to the following:
 - Tanks carrying substances in accordance with sub-section 5.3.2.1.6 are only required to display orange-coloured plates at the front and at the rear of the transport unit. When such a trailer is separated from its motor vehicle and parked during the transport chain, there are no provisions in ADR that requires the trailer to have any orange-coloured plates at all. In the view of Sweden and Germany it is not acceptable to only indicate with placards that a trailer are loaded with flammable liquid (e.g. 36 000 litres) when the same kind of marking is not sufficient for a drawing vehicle loaded with the same substance.
 - The situation is even more serious when individual trailers are loaded with packagings. In these cases there is nothing that indicates the dangerous goods (except for classes 1 and 7), which can put rescue people to severe danger.
6. During previous discussions on this issue, some countries expressed that they interpret the text in sub-section 5.3.2.1.1 to already require orange coloured plates on the rear of trailers, even when they are separated from their motor vehicle. However, with reference to the definition of "Transport unit" in section 1.2.1, Sweden and Germany cannot agree with that interpretation. Therefore, to assure that the text is interpreted and applied in the same way in all countries, it is proposed to clarify the text in sub-section 5.3.2.1.1.

Proposal

7. Add a new paragraph in sub-section 5.3.2.1.1 to read as follows (underlined):

"5.3.2.1.1 Transport units carrying dangerous goods shall display two rectangular orange-coloured plates conforming to 5.3.2.2.1, set in a vertical plane. They shall be affixed one at the front and the other at the rear of the transport unit, both perpendicular to the longitudinal axis of the transport unit. They shall be clearly visible.

If a trailer becomes separated from its motor vehicle during carriage of dangerous goods, an orange-coloured plate shall be affixed to the rear of the trailer."

8. Alternatively the second paragraph is proposed to read as follows more explicitly:

"If a trailer becomes separated from its motor vehicle during carriage of dangerous goods the orange-coloured plate at the rear of the transport unit shall not be removed from the trailer or, respectively, an orange-coloured plate shall be affixed at least to the rear of the trailer in accordance with this sub-section."

Justification

9. For safety reasons, vehicles carrying containers, MEGCs, MEMUs, tank-containers, portable tanks as well as vehicles loaded with packagings shall be marked during the whole transport chain, including stops before, during and after the change of place.

10. Referring to other transport regulations, in the Regulations concerning the International Carriage of Dangerous Goods by Rail (RID) 2011 revised provisions concerning marking of trailers carrying packages in piggyback transport have been introduced as follows:

"1.1.4.4.3 If a trailer becomes separated from its tractor unit, the orange-coloured plates shall also be affixed to the front of the trailer or the corresponding placards shall also be affixed to both sides of the trailer."

11. This wording indicates that the trailer is already marked with an orange-coloured plate at its rear. But this seems not to be clear in ADR. To align the provisions in ADR with the provisions in RID, it is proposed to insert a comparable text in ADR that requires orange-coloured plate marking on a trailer also when it is separated from its motor vehicle.

12. The fact that a motor vehicle and a trailer may belong to different companies does not justify any gap in safety.