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Inland Transport Committee

Working Party on the Transport of Dangerous Goods

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

Bern, 21 - 25 March 2011

Item 5 (b) of the provisional agenda

Proposals for amendments to RID/ADR/ADN: new proposals

Wording used in sub-section 4.2.1.9.1

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

Summary

Executive summary: The intention with this document is to harmonize RID/ADR

Action to be taken: Amend the first sentence in sub-section 4.2.1.9.1 and the last sentence in 4.2.4.5.5 into passive form

¹ In accordance with the programme of work of the Inland Transport Committee for 2010–2014 (ECE/TRANS/208, para.106, ECE/TRANS/2010/8, programme activity 02.7 (c)).

² Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2011/11.

Introduction

1. Sweden has noticed that the responsibility stated in the first sentence in sub-section 4.2.1.9.1 is expressed differently in ADR and RID. In ADR it is indicated that the consignor shall ensure that the appropriate portable tank is used. However, in RID the filler is identified to have the same responsibility.
2. In corresponding requirements in sub-section 4.2.2.7.1, 4.2.3.6.1 and 4.2.4.5.1 the responsibility prior to filling is written in passive form. The obligations of the participants are described in Chapter 1.4. Therefore, Sweden proposes to harmonise the texts and use passive form also in sub-section 4.2.1.9.1.
3. However, we are aware that the passive form in these sub-sections in RID/ADR is in disharmony with the UN Model Regulations (except for sub-section 4.2.4.5.1). The UN Model Regulations states that the consignor is responsible to ensure that the appropriate tank is used.
4. If the Joint Meeting is of the opinion that UN Model Regulations should be amended, Sweden is willing to prepare a proposal to introduce the passive form in the UN Model Regulations as well.

Proposal

- 5 Amend the first sentence in sub-section 4.2.1.9.1 in RID/ADR to read as follows:

"4.2.1.9.1 Prior to filling, the portable tank shall be inspected to ensure that it is authorized for the substances to be carried and that the portable tank is not loaded with substances which in contact with the materials in the shell, gaskets, service equipment and any protective linings, are likely to react dangerously with them to form dangerous products or appreciable weaken these materials."

Justification

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| Safety: | No change in safety. An editorial issue. |
| Feasibility: | No problem. |
| Practical implications: | Makes it possible to avoid problems of interpretation. |
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