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## Economic Commission for Europe

### Inland Transport Committee

### Working Party on the Transport of Dangerous Goods

#### Report of the Working Party on its ninety-third session

held in Geneva from 6 to 8 November 2012

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## **I. Attendance**

1. The Working Party on the Transport of Dangerous Goods held its ninety-third session from 6 to 8 November 2012 under the chairmanship of Mr. J.A. Franco (Portugal) and the vice-chairmanship of Ms. A. Roumier (France).
2. Representatives from the following countries took part in the session: Austria, Belgium, Bulgaria, Denmark, Czech Republic, Finland, France, Germany, Hungary, Italy, Kazakhstan, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Serbia, Slovakia, Spain, Sweden, Switzerland, Ukraine and United Kingdom.
3. The European Union was represented.
4. The following intergovernmental organization was represented: Intergovernmental Organisation for International Carriage by Rail (OTIF).
5. The following non-governmental organizations were represented: European Chemical Industry Council (CEFIC), European Conference of Fuel Distributors (ECFD), European Liquefied Petroleum Gas Association (AEGPL), International Dangerous Goods and Containers Association (IDGCA), International Federation of Freight Forwarders Associations (FIATA), International Road Transport Union (IRU) and Global Express Association (GEA).

## **II. Adoption of the agenda (agenda item 1)**

*Documents:* ECE/TRANS/WP.15/216 and Add.1 (Secretariat)

*Informal documents:* INF.1, INF.2/Rev.1 and INF.12 (Secretariat)

6. The Working Party adopted the provisional agenda prepared by the secretariat as amended by informal document INF.2 to take account of informal documents INF.1 to INF.20 and of the withdrawal of document ECE/TRANS/WP.15/2012/17.

## **III. Seventy-fourth session of the Inland Transport Committee (agenda item 2)**

*Document:* ECE/TRANS/224 (Secretariat)

7. The Working Party noted the conclusions of the proceedings of the seventy-fourth session of the Inland Transport Committee.
8. The Working Party also noted that work was underway in the RID Committee of Experts to harmonize RID and annex 2 of the Agreement on International Railway Freight Communications (SMGS), and that it would soon be informed of the outcome of that work and its possible consequences for RID and ADR.

## **IV. Status of the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) and related issues (agenda item 3)**

### **A. Status of the Agreement**

*Informal document:* INF.6 (Secretariat)

9. The Working Party noted that the amendments adopted in the last two years (ECE/TRANS/WP.15/213, Corr.1 and Corr.2, and ECE/TRANS/WP.15/213/Add.1 and Corr.1) had been proposed to the Contracting Parties by the Government of Portugal and were deemed to be accepted for entry into force on 1 January 2013 (depository notifications C.N.344.2012.TREATIES of 1 July 2012 and C.N.566.2012.TREATIES of 2 October 2012).

### **B. Protocol of amendment of 1993**

10. The Working Party noted that there were still 15 countries (Azerbaijan, Belarus, Bosnia and Herzegovina, Croatia, Iceland, Kazakhstan, Malta, Morocco, Montenegro, Serbia, Tajikistan, the former Yugoslav Republic of Macedonia, Tunisia, Turkey and Ukraine) that had not deposited the legal instrument required for the Protocol to enter into force, and encouraged those countries to take the necessary measures to ratify or accede to the Protocol in order to enable it to enter into effect.

## **V. Interpretation of ADR (agenda item 4)**

### **A. Training of drivers for Class 7**

*Document:* ECE/TRANS/WP.15/2012/12 (Switzerland)

*Informal document:* INF.16 (Switzerland)

11. The Working Party confirmed that according to the current wording of Chapter 8.2 of ADR applicable from 1 January 2011, the substances and articles requiring specialization training courses in accordance with 8.2.1.4 could not be included in the scope of a basic training course limited to certain dangerous goods or to one or more classes (restricted basic training courses). Such a possibility could be considered on the basis of new proposals and taking into consideration feedback from countries that established restricted basic training courses (see also paragraph 35).

### **B. Scope of 5.5.3**

*Document:* ECE/TRANS/WP.15/2012/16 (Switzerland)

*Informal document:* INF.17 (GEA)

12. The Working Party considered that section 5.5.3 applied only when there was a demonstrable confirmed risk of asphyxiation in the transport unit and that it was for the parties concerned (in particular the consignor) to assess this risk, taking into consideration the hazards presented by the substances used for refrigeration or conditioning, and also the quantities concerned and types of containment used (in bulk or in packages).

13. The Working Party supported the intention of the representative of Switzerland to submit a proposal of amendment to the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods to review the applicable texts accordingly.

14. Several delegations also emphasized the need to specify who should bear responsibility for assessing the risk of asphyxiation.

### **C. Security training**

*Informal document:* INF.4 (Germany)

15. The Working Party felt that it was important to make a distinction between the general security training provided in the basic driver training courses (8.2.2.3.2) and in the security awareness training given to non-driver personnel (chapter 1.3 and 1.10.2), and the specific training given on individual companies' security plans. This specific training, which may contain confidential information, is provided directly by the companies and under their responsibility, and organized in accordance with the security plan as regards target audience and content.

16. There are guidelines to help companies and training bodies prepare and deliver general security awareness courses.<sup>1</sup>

### **D. Section 9.7.9 and carriage of UN No. 0331**

*Informal document:* INF.10 (Sweden)

17. The majority of delegates who spoke took the view that automatic fire extinguishers for the engine compartment could be installed after type approval of EX/III tank-vehicles without affecting the validity of the certificate of approval; this could be indicated by a note in No. 11 of the certificate. The Working Party nevertheless noted that the provisions of 9.7.9.1 apply to the chassis-cab rather than the body of vehicles and that it might be possible to transfer this provision to chapter 9.2, although it concerned only a very limited number of vehicles and it did not seem necessary to stipulate type approval for the few complete vehicles concerned.

18. The Working Party also confirmed that ADR does not specify the type of automatic extinguisher for the engine compartment under 9.7.9 and those delegations that spoke indicated that there is no recognized standard specifically applicable to the transport of dangerous goods.

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<sup>1</sup> For example, the United Kingdom's "Guidance document for the design and delivery of security-awareness training for the carriage of dangerous good by road" (<http://assets.dft.gov.uk/publications/security-of-dangerous-goods-by-road/dangerous-goods-road-training.pdf>), and the "Industry guidelines for the security of the transport of dangerous goods by road" (<http://www.cefic.org/Industry-support/Responsible-Care-tools-SMEs/4-Security/Guidelines-for-the-security-of-the-transport-of-dangerous-goods-by-road/>).

**E. Interpretation of the phrase “retiré de la circulation” / “taken out of service”**

*Informal document:* INF.13 (Romania)

19. The Working Party agreed that there was no need to modify the terms “retiré de la circulation” and “taken out of service” in 9.1.3.5. The term applies to vehicles that for one reason or another are no longer authorized to carry dangerous goods on public roads.

**VI. Work of the RID/ADR/ADN Joint Meeting (agenda item 5)**

**A. Texts adopted by the Joint Meeting at its spring 2012 session**

*Document:* ECE/TRANS/WP.15/AC.1/126, annex III (secretariat)

20. The amendments to Annexes A and B of ADR for entry into force on 1 January 2015, adopted by the Joint Meeting at its spring 2012 session, were endorsed by the Working Party (see annex I).

**B. Corrections to annexes A and B of ADR as modified by the amendments entering into force on 1 January 2013**

*Informal document:* INF.7/Rev.1 (secretariat)

21. The Working Party adopted the corrections proposed by the Joint Meeting and requested the secretariat to take the necessary steps to publish a corrigendum as soon as possible (see annex II).

**C. Accreditation of inspection bodies**

22. The Working Party examined the proposal by the Joint Meeting to amend the references to standard EN ISO/IEC 17020:2004 in several paragraphs of ADR in order to take account of the revised version of that standard, and concluded that adopting the proposal could cause problems such as challenges to accreditations issued under the old version of the standard. In addition, the Working Party noted that the revised version of the standard included substantive changes and that it would be wiser for this point to be discussed again by the Working Group on Standards at the next session of the Joint Meeting. The Working Party also agreed that any proposal for amendment of references to standard EN ISO/IEC 17020:2004 should be accompanied by appropriate transitional measures. In that regard, the Working Party regretted that European Commission communication 2012/C 149/01, of 25 May 2012, making the use of the revised version of the standard applicable in European Union member States, did not provide for an adequate transition period to allow for its implementation in RID and ADR.

23. The representative of the European Union explained that, under the New Legislative Framework, and particularly in respect of accreditations under Regulation No. 765/2008,<sup>2</sup> the application of harmonized standards listed in European Commission communication

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<sup>2</sup> Regulation (EC) No. 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No. 339/93.

2012/C 149/01, of 25 May 2012, including the 2012 version of standard EN ISO/IEC 17020, was to be seen as one of the technical options possible in order to comply with essential regulations. Other standards, including previous versions of the standards mentioned, and other technical solutions, could be used in complying with those regulations.

24. Taking note of that explanation, the Working Party invited the European Commission to clarify officially the scope of the communication in that regard and provide an adequate transitional period as a number of delegations pointed out that only the 2004 version is referenced in ADR.

## **VII. Proposals for amendments to annexes A and B of ADR (agenda item 6)**

### **A. Construction and approval of vehicles**

#### **Number of trailers in a transport unit**

*Document:* ECE/TRANS/WP.15/2012/11 (Sweden)

*Informal document:* INF.11 (IRU)

25. Some delegations were in favour of the proposition by Sweden to permit vehicle combinations that include a converter dolly (a trailer fitted with a fifth wheel) for the transport of dangerous goods inasmuch as that has already been possible for some years in signatory countries to the M198 multilateral agreement, where that solution facilitated multimodal transport.

26. Other delegations pointed out that their national infrastructures and topography would not allow for this and that there were still numerous points to resolve before such a proposal could be considered, notably with regard to carriage in tanks, the rules for mixed loading, documentation, restrictions on passage through tunnels and the applicability of the technical regulations of ADR, for example as regards braking.

27. The Working Party wished to wait until it had at its disposal a more thorough analysis of the risks, and feedback on on-going pilot projects, before taking a position and invited signatory countries to the M198 multilateral agreement to renew the agreement pending a decision on this question.

### **B. Miscellaneous proposals**

#### **1. Subsections 8.1.4.4 and 8.1.4.5**

*Document:* ECE/TRANS/WP.15/2012/10 (Sweden)

28. The proposal by Sweden to clarify paragraphs 8.1.4.4 and 8.1.4.5 was adopted with some editorial changes (see annex I).

#### **2. Additive devices**

*Documents:* ECE/TRANS/WP.15/2012/13 (Belgium)  
ECE/TRANS/WP.15/2012/18 (Switzerland)

*Informal document:* INF.15 (Austria)

29. The consideration of the texts proposed by the Joint Meeting's informal working group on additive devices on tanks (Bonn, 9–10 February 2012) gave rise to several technical comments and raised questions of principle, in particular relating to possible interaction with special provision 363. The Working Party, considering that it was premature to take a decision at the current juncture, expressed the wish that the work should continue in the working group on tanks of the Joint Meeting, which should also take into consideration the amendments proposed in document ECE/TRANS/WP.15/2012/18 and informal document INF.15. Delegations that raised concerns and every delegation wishing to do so could also send their comments in writing to the working group on tanks, for information, via the secretariat. Representatives of the industries in question, who had initiated the work on the subject, were invited to continue their activities, and thus to provide the working group on tanks with the necessary expertise.

### **3. Dimensions of orange-coloured plates, in 5.3.2.2.1**

*Document:* ECE/TRANS/WP.15/2012/14 (Switzerland)

*Informal document:* INF.19 (Romania)

30. Most of the delegations that took the floor considered that it was for the manufacturers of the vehicles concerned to take the steps required to allow for the marking prescribed under 5.3.2 to appear on such vehicles. The use of orange-coloured plates of sufficient size was important for the marking of hazards, and the use of smaller orange-coloured plates should be authorized only for small vehicles. After discussion, the proposals by Switzerland and Romania were withdrawn.

31. The representative of Hungary mentioned that she intended to submit a proposal aimed at clarifying the text in respect of the dimensions of the orange-coloured plates. As the work under way in the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods to harmonize hazard markings did not cover the case of the orange-coloured plates, and since RID provided no reduced dimension for the markings, the proposal could be presented directly to the Working Party at its next session.

### **4. Flexible bulk containers**

*Informal documents:* INF.3, INF.3/Add.1 and INF.18 (IDGCA)

32. The Working Party took note of the decision by the Joint Meeting to set up an informal working group specifically to consider, for the three modes of inland transport, operational conditions that could be set out for the efficient transport of flexible bulk containers in road vehicles, railway wagons and inland transport vessels, and to draw up proposals for consideration by the competent bodies.

33. The representative of IDGCA said that a meeting of the informal group will be held during the last week of May 2013 in Saint Petersburg.

34. Several delegations indicated that they would like to take part in the work of the informal working group, possibly initially by correspondence. It was, however, pointed out that it was necessary to have at disposal technical data, in particular relating to the weight and dimensions of the flexible bulk containers, their loading, unloading and stowage and the stability of the vehicles carrying them, in order to take decisions. Countries where flexible bulk containers were already in use, either for the transport of dangerous goods or for other purposes, were invited to provide feedback by forwarding any information they deemed useful.



**5. Training of drivers**

*Document:* ECE/TRANS/WP.15/2012/15 (Switzerland)

*Informal document:* INF.20 (Sweden)

35. Proposal 1 in document ECE/TRANS/WP.15/2012/15 was adopted (see annex I).

**6. Correction to 3.4.13 b)**

*Informal document:* INF.9 (Sweden)

36. The Working Party supported the correction of the English version of 3.4.13 (b) and requested the secretariat to include this correction in a corrigendum to ADR 2013 (see annex III).

## **VIII. Draft road map on how to set up the administrative structures required for implementation of ADR (agenda item 7)**

*Document:* ECE/TRANS/WP.15/2012/19 (Secretariat)

37. The draft road map prepared by the secretariat was adopted with some modifications (see annex IV).

38. The Working Party welcomed that such a tool to facilitate the accession of new countries to ADR was made available and requested the secretariat to publish the road map as a leaflet to facilitate its dissemination in countries which are not Contracting Parties to ADR.

## **IX. Programme of work (agenda item 8)**

**A. Ninety-fourth session**

39. The agenda items for the next session will be:

- Adoption of the agenda;
- Seventy-fifth session of the Inland Transport Committee;
- Status of the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) and related issues;
- Interpretation of ADR;
- Work of the RID/ADR/ADN Joint Meeting;
- Proposals for amendments to annexes A and B of ADR;
- Road map on how to set up the administrative structures required for implementation of ADR;
- Programme of work;
- Any other business;
- Adoption of the report.

## **B. Programme of work for 2014-2015**

*Informal document:* INF.5 (Secretariat)

40. The Working Party adopted the programme of work for 2014-2015 as prepared by the secretariat with some modifications (see annex V).

## **X. Election of officers for 2013 (agenda item 9)**

41. On a proposal from the representative of Germany, supported by the representative of Belgium, the Working Party re-elected Mr. J.A. Franco (Portugal) and Ms. A. Roumier (France) as Chairperson and Vice-Chairperson, respectively, for 2013.

## **XI. Any other business (agenda item 10)**

### **Draft corrigendum to ADR 2013**

*Informal document:* INF.14 (Secretariat)

42. The Working Party noted the draft corrigendum to ADR 2013 and requested the secretariat to take the necessary steps for its publication as soon as possible (see annex III).

## **XII. Adoption of the report (agenda item 11)**

43. The Working Party adopted the report of its ninety-third session and its annexes on the basis of a draft prepared by the secretariat.

## Annex I

### Draft proposals of amendments for entry into force on 1 January 2015

#### Chapter 1.1

1.1.3.1 In the Note, replace "see 1.7.1.4" by "see also 1.7.1.4".

(Reference document: ECE/TRANS/WP.15/AC.1/126, Annex III)

1.1.3.4 In the Note, replace "see 1.7.1.4" by "see also 1.7.1.4".

(Reference document: ECE/TRANS/WP.15/AC.1/126, Annex III)

#### Chapter 1.2

1.2.1 Amend the Note in the definition of "combination packaging" to read as follows:

*"NOTE: The term "inner packaging" used for combination packagings shall not be confused with the term "inner receptacle" used for composite packagings."*

(Reference document: ECE/TRANS/WP.15/AC.1/12,6 Annex III)

1.2.1 Amend the definition of "Composite packaging (plastics material)" and related NOTE to read as follows:

*"Composite packaging" means a packaging consisting of an outer packaging and an inner receptacle so constructed that the inner receptacle and the outer packaging form an integral packaging. Once assembled it remains thereafter an integrated single unit; it is filled, stored, carried and emptied as such;*

*NOTE: The term "inner receptacle" used for composite packagings shall not be confused with the term "inner packaging" used for combination packagings. For example, the inner of a 6HA1 composite packaging (plastics material) is such an inner receptacle since it is normally not designed to perform a containment function without its outer packaging and is not therefore an inner packaging.*

*Where a material is mentioned in brackets after the term "composite packaging", it refers to the inner receptacle."*

(Reference document: ECE/TRANS/WP.15/AC.1/126, Annex III as corrected)

1.2.1 Delete the definition of "Composite packaging (glass, porcelain or stoneware)" and related NOTE.

(Reference document: ECE/TRANS/WP.15/AC.1/126, Annex III)

1.2.1 In the definition of "Packaging", replace "'Composite packaging (plastics material)", "Composite packaging (glass, porcelain or stoneware)'" by "'Composite packaging'".

(Reference document: ECE/TRANS/WP.15/AC.1/126, Annex III)

#### Chapter 8.1

8.1.4.4 Amend to read as follows:

“8.1.4.4 The portable fire extinguishers conforming to the provisions of 8.1.4.1 or 8.1.4.2 shall be fitted with a seal which allows verifying that they have not been used.

The fire extinguishers shall be subjected to inspections in accordance with authorized national standards in order to guarantee their functional safety. They shall bear a mark of compliance with a standard recognized by a competent authority and a marking indicating the date (month, year) of the next inspection or of the maximum permissible period of use, as applicable.”.

*(Reference document: ECE/TRANS/WP.15/2012/10 as amended)*

8.1.4.5 Add a new last sentence to read as follows: “During carriage, the date required in 8.1.4.4 shall not have expired.”.

*(Reference document: ECE/TRANS/WP.15/2012/10 as amended)*

## **Chapter 8.2**

8.2.1.2 Amend the last sentence to read as follows:

“These restricted basic training courses shall not confer the right to attend the training courses referred to in 8.2.1.4.”.

*(Reference document: ECE/TRANS/WP.15/2012/15)*

8.2.1.3 Amend the last sentence to read as follows:

“These restricted tank specialization training courses shall not confer the right to attend the training courses referred to in 8.2.1.4.”.

*(Reference document: ECE/TRANS/WP.15/2012/15)*

## Annex II

### **Corrections to annexes A and B of ADR as modified by the amendments which entered into force on 1 January 2013 (Depository notification C.N.566.2012.Treaties-XI.B.14)**

2.2.62.1.5.7 In the second sentence, for “6.6.5” read “6.6.4”.

*Reasoning: Inappropriate cross-reference.*

*(Reference document: Informal document INF.7/Rev.1)*

4.1.4.1, P114(a) For “Outer packagings”, “Drums”, after “other metal (1N1, 1N2)” insert the following entry “Plywood (1D)”.

*Reasoning: “Plywood (1D)” was deleted by mistake.*

*(Reference document: Informal document INF.7/Rev.1)*

4.1.4.1, P903, paragraph (2), subparagraphs (a) and (b): For the existing text, substitute:

- “(a) Strong outer packagings;
- (b) Protective enclosures (e.g., fully enclosed or wooden slatted crates); or
- (c) Pallets or other handling devices.”.

*Reasoning: The contents of sub-paragraphs (a) and (b) were grouped by mistake.*

*(Reference document: Informal document INF.7/Rev.1)*

9.7.8.2 and 9.7.8.3, footnote 2: Delete “50015;”.

*Reasoning: Missing consequential amendment related to the amendment to 9.2.2.5.1.*

*(Reference document: Informal document INF.7/Rev.1)*

## Annex III

### **Corrections to publication ECE/TRANS/225 (ADR 2013)**

#### **Chapter 1.2, 1.2.1, Definition of Combination packaging**

*For* outer packing *read* outer packaging

#### **Chapter 3.2, Table A, in the heading row of the table, for Columns (7a) and (7b)**

*For* Limited and quantities *read* Limited and excepted quantities

#### **Chapter 3.2, Table A, in the heading row of the table, for Columns (10) and (11)**

*For* Portable tanks and *read* Portable tanks and bulk containers

*(Reference document: Informal document INF.14)*

#### **Chapter 3.4, 3.4.13 (b)**

At the end, insert the following paragraph: “The carrying transport unit need not be marked, except when the marking affixed to the containers is not visible from outside this carrying transport unit. In this latter case, the same marking shall be affixed at the front and at the rear of the transport unit.”.

*(Reference document: Informal document INF.9)*

#### **Chapter 5.1, 5.1.2.1 (a)**

Not applicable to English

#### **Chapter 6.7, 6.7.3.9.1 and 6.7.4.8.1**

Not applicable to English

## Annex IV

### **Road map on how to set up the administrative structures required for implementation of ADR**

#### **Introduction**

The European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR), done in Geneva on 30 September 1957, entered into force on 29 January 1968 in accordance with its article 7.

On 29 November 2012, there were 48 Contracting Parties to ADR:

Albania, Andorra, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Montenegro, Morocco, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine and United Kingdom. The status of ADR may be consulted on the United Nations Economic Commission for Europe (UNECE) website at

[http://www.unece.org/trans/danger/publi/adr/legalinst\\_53\\_tdg\\_adr.html](http://www.unece.org/trans/danger/publi/adr/legalinst_53_tdg_adr.html)

The contact details of the ADR Competent Authorities may be consulted on the UNECE website at

[http://www.unece.org/trans/danger/publi/adr/country-info\\_e.html](http://www.unece.org/trans/danger/publi/adr/country-info_e.html)

States members of the UNECE and States admitted to the UNECE in a consultative capacity under paragraph 8 of UNECE's terms of reference (see article 6 (1)) are eligible to become Parties to ADR. States that may participate in certain activities of the UNECE pursuant to paragraph 11 of UNECE's terms of reference may also accede to ADR (see article 6 (2)). This latter statement allows any Member of the United Nations not a member of the UNECE to accede to ADR.

#### **Accession steps**

##### **Formal and structured coordination at national level**

The regulations on the transport of dangerous goods may be under the responsibility of different ministries or administrations depending on the nature of the goods (chemicals, explosives, radioactive material, wastes, medicines, pesticides), of the purpose of the carriage and of the administrative structure in place. The ministries, administrations and bodies concerned need to be identified and their representatives should be invited to participate in the process of accession.

A non-exhaustive list of the ministries, administrations and bodies usually concerned by the transport of dangerous goods is: Authorities and bodies in charge of Transport, Road Control and Inspection, Training of drivers, Industry, Interior, Environment, Trade, Defence, Finance, Agriculture, Labour, Science, Education, Public Health, Nuclear safety etc.

Representatives of the private sector and of associations should be consulted and be involved if possible in the process as representatives of the users of the regulations: Chemical/Petroleum/Gas industry; Transport sector, Packaging/tank/vehicle manufacturers; workers unions, associations for the prevention of accidents in the workplace, training bodies, etc.

A formal coordination of all the participants involved in the process of accession should be organized.

### **Bridging the gap**

Each State wishing to implement ADR should:

- Develop procedures for implementing ADR for the international transport of dangerous goods. These procedures may include the process for translation of the initial text and amendments, checks on road and on sites, interpretation, administrative practices for enforcement, follow-up of updates, timetable for the entry into force, impact of transitional periods...);
- Establish implementation bodies as necessary;
- Designate the relevant competent authorities or bodies for classification of goods, approval, testing and certification of packagings, tanks and vehicles, training and certification of drivers and dangerous goods safety advisers, etc. and make sure they are appropriately trained and have appropriate procedures in place for the certificates they may have to deliver in accordance with ADR. These competencies may be attributed to a single administrative body which may also be in charge of other modes of transport of dangerous goods;
- Designate a coordination focal point for national implementation and cooperation with the other States (through the UNECE Working Party on the Transport of Dangerous Goods) taking into account the availability of expertise and resources. This focal point may represent the competent authority in international meetings and, in that case, should be allowed to take decisions on its behalf;
- Provide the necessary financial and human resources to ensure participation of experts in the sessions of the appropriate international bodies responsible for the development of the regulations and of the standards supporting these regulations.

### **Ruling**

The national coordination body should develop or adapt existing national legislation/regulations which might affect the international transport of dangerous goods in line with ADR. The status of existing regulations which may overlap with ADR should be assessed: regulations for security, waste, tunnels, postal services, transport of dangerous goods by other modes, road safety, traffic restrictions, etc.

To facilitate the implementation of ADR, it is recommended to align the legislation applicable to the national transport of dangerous goods with ADR as far as possible.

### **Acceding**

The procedure for accession should be launched in accordance with national law/constitution in consultation with the administrations competent for international affairs (e.g. Department of international relations or Ministry of Foreign Affairs).

To allow the entry into force of the Protocol of amendment of 1993 amending article 1 (a), articles 14 (1) and article 14 (3) (b) of ADR, it is necessary that the State deposits an instrument of accession to both ADR and the Protocol of 1993.



The Head of State or Government or the Minister of Foreign Affairs or a person exercising the power of one of these authorities *ad interim* signs the instrument of accession which should be deposited with the Secretary-General.

Information on the procedure to follow, forms to be filled in and appropriate contact details for technical assistance may be found on the United Nations Office of Legal Affairs website at the following address:

[http://untreaty.un.org/ola/div\\_treaty\\_techassist.aspx?section=treaty](http://untreaty.un.org/ola/div_treaty_techassist.aspx?section=treaty)

### **Updating**

Annexes A and B of ADR are regularly amended and updated in accordance with the decisions of the Working Party on the Transport of Dangerous Goods (WP.15) and of the Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods (RID/ADR/ADN Joint Meeting) (WP.15/AC.1).

Representatives of contracting parties to ADR may participate as full participants with voting rights in the sessions of WP.15 and of the Joint Meeting.

The terms of reference and rules of procedure of WP.15 are contained in ECE/TRANS/WP.15/190/Add.1 which may be consulted on the UNECE website at:

<http://www.unece.org/trans/main/dgdb/wp15/wp15rep.html>

The terms of reference and rules of procedure of the Joint Meeting are contained in ECE/TRANS/WP.15/AC.1/112/Add.2 which may be consulted on the UNECE website at:

<http://www.unece.org/trans/main/dgdb/ac1/ac1rep.html>

A mechanism for follow-up should be put in place. This implies *inter alia* regular participation in the sessions of WP.15 and of the Joint Meeting, giving information to stakeholders and putting in place procedures to implement the sets of amendments adopted every two years by Contracting Parties.

## **Additional implementation issues**

### **Issuance of certificates**

In some cases, ADR requires the issuance of certificates which will be recognized by the other Contracting Parties (certificates of approval of tanks, packagings, type approval of vehicles, certificates for the training of drivers, etc). It may be useful to define an organization which will enable the fast and efficient issuance of these certificates and which should also include a mechanism for appropriate data collection. The issuance of certificates may be under the responsibility of local agencies or authorities. In that case a central authority should ensure harmonization and gather the necessary data.

### **Communications to the UNECE secretariat**

In accordance with ADR, the Contracting Parties are also required to notify certain information to the secretariat of the UNECE which shall bring them to the attention of the Contracting Parties. This includes special agreements, the list of Competent Authorities, restrictions of circulation, recognized technical codes, etc. (see annex I).

### **Procedures for checks**

ADR is an Agreement between States, and there is no overall enforcing authority. In practice, highway checks are carried out by Contracting Parties, and non-compliance may then result in legal action by national authorities against offenders in accordance with their

domestic legislation. Procedures for checks and procedures to prevent, identify, monitor and manage cases of infringement should be defined.

#### **Procedures in case of accident**

Accidents involving dangerous goods often require the intervention of different emergency responders and procedures for the mutual exchange of information and coordination should be put in place. Cooperation between neighbouring States should also be studied.

Emergency preparedness may also include participation in programmes related to the application of Intelligent Transport Systems to the tracing and tracking of dangerous goods.

#### **Special agreements**

In accordance with Article 4, paragraph 3 of ADR and section 1.5.1 of Annex A, competent authorities of Contracting Parties may agree directly among themselves to authorize certain transport operations on their territories by temporary derogation from the requirements of ADR, provided that safety is not compromised. The procedure for the signature and notification of such bilateral or multilateral agreements is reproduced in annex II.

#### **Alignment with other classification/labelling systems**

In order to prevent the risks presented by dangerous goods, not only during their transport, but also through the different steps of their life from their production to their use and disposal, countries should have consistent and appropriate information on the chemicals they import or produce.

The "Globally Harmonized System of Classification and Labelling of Chemicals (GHS)", developed under the auspices of the United Nations Economic and Social Council addresses classification of chemicals by types of hazard and proposes harmonized hazard communication elements, including labels and safety data sheets. The classification of dangerous goods in ADR is consistent with the classification proposed in GHS. A step forward could be to implement the GHS classification in other regulations related to dangerous goods, taking into account that GHS provides a basis for harmonization of rules and regulations on chemicals at the national, regional and worldwide level, an important factor for trade facilitation.

## **Annex I to the Road Map**

### **List of information to be notified to the UNECE secretariat**

<i>Notifications to the UNECE secretariat</i>	<i>Reference in the annexes of ADR</i>
Agreements for vehicles conveyed otherwise than by road haulage	1.1.4.5
Derogations as regards the transfer of the safety obligations of the participants	1.4.1.3
Temporary derogations from the requirements of ADR (bilateral or multilateral agreements)	1.5.1
List of competent authorities and bodies designated by them	1.8.4

<i>Notifications to the UNECE secretariat</i>	<i>Reference in the annexes of ADR</i>
Notifications of occurrences involving dangerous goods	1.8.5
Additional provisions applying to vehicles engaged in the international carriage of dangerous goods (additional safety requirements or restrictions concerning vehicles using certain structures such as bridges, vehicles using combined transport modes such as ferries or trains, or vehicles entering or leaving ports or other transport terminals / Restrictions on movement of dangerous goods traffic on certain days of the week or year)	1.9.3 (a) and (d)
Restrictions to the passage of vehicles carrying dangerous goods through road tunnels	1.9.5
Competent authority approval for the carriage of damaged lithium batteries if not collected and presented for carriage for disposal	Chapter 3.3, Special provision 661
Translated versions of the instructions in writing	5.4.3
<i>Note: At its eighty-fifth session, the Working Party on the Transport of Dangerous Goods agreed that the Contracting Parties to ADR should send their official translations of the standard instructions in writing set forth in 5.4.3.4 to the secretariat for circulation via the UNECE website.</i>	
List of technical codes recognised by the competent authority for non-UN pressure receptacles not designed, constructed and tested according to referenced standards	6.2.5
List of technical codes recognised by the competent authority for tanks which are not designed, constructed and tested according to referenced standards	6.8.2.7
List of technical codes recognised by the competent authority for battery-vehicles and multiple-element gas containers which are not designed, constructed and tested according to referenced standards	6.8.3.7

## Annex II to the Road Map

### Procedures to be followed for the communication of multilateral agreements concluded in accordance with section 1.5.1 of Annex A of ADR

- 1) The initiating country contacts the secretariat and informs it of its intention to initiate a multilateral agreement, the draft of which it transmits by **fax** and by **e-mail**.
- 2) The secretariat registers the title of the draft agreement and assigns it a serial number which it communicates immediately to the initiating country.
- 3) The initiating country includes the serial number in the heading of the draft agreement (e.g. "Multilateral agreement M252") and then proposes it to the other Contracting Parties to ADR.
- 4) As soon as the initiating country has reached agreement with the parties concerned on the final version of the clauses of the multilateral agreement, it transmits its signed copy to the secretariat in hard copy and electronically and transmits unsigned copies to the other Contracting Parties to ADR.
- 5) Each signatory country returns its signed copy to the initiating country and transmits a signed copy to the secretariat.
- 6) As soon as the secretariat receives the copy signed by a second signatory, the agreement is entered in a database which may be consulted on Internet (<http://www.unece.org/trans/danger/multi/multi.html>).
- 7) Each Contracting Party which revokes an agreement shall immediately so inform the secretariat.
- 8) The final clause of a multilateral agreement should be worded as follows:  
*"This agreement shall be valid until (...)\* for the carriage on the territories of those ADR Contracting Parties signatory to this agreement. If it is revoked before then by one of the signatories, it shall remain valid until the above mentioned date only for carriage on the territories of those ADR Contracting Parties signatory to this agreement which have not revoked it.*  
*(date ...)\*\**  
*The competent authority for ADR of ... .. (Signature)".*
- 9) Where a signatory country signs a multilateral agreement with reservations regarding its application, these reservations shall be expressly mentioned in the copy which it transmits to the secretariat.

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\* Date of expiry of the multilateral agreement which must be indicated by the initiating country in the final version it transmits to the secretariat and to the other Contracting Parties in accordance with paragraph (4) above. This date of expiry must correspond to a maximum period of validity of five years as from the date of signature by the initiating country.

\*\* Date of signature for each country concerned.

## Annex V

### Programme of work for 2014-2015

#### Cluster 11 Transport of dangerous goods (UNECE)

<i>Description of cluster (optional)</i>	<i>Expected accomplishments from this cluster</i>
<p>Consideration of regulations and technical questions concerning the international carriage of dangerous goods in the region. Preparation of new international agreements and harmonization and amendment of existing agreements in this field to enhance safety and security at the same time as contributing to the protection of the environment and facilitating trade, in cooperation with the Economic and Social Council's Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals.</p> <p>Main actions by the Transport Division:</p> <ul style="list-style-type: none"> <li>• Providing secretariat services to:             <ol style="list-style-type: none"> <li>1. the UNECE Inland Transport Committee Working Party on the Transport of Dangerous Goods (WP.15), which addresses mainly issues related to the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) which are specific to road transport (construction and approval of vehicles, operation of vehicles, driver training, safety in road tunnels, etc.),</li> <li>2. the Joint Meeting of WP.15 and the RID Committee of Experts ("RID/ADR/ADN Joint Meeting") (WP.15/AC.1) (in cooperation with the Intergovernmental Organisation for International Carriage by Rail (OTIF) secretariat), for all matters common to the three modes of inland transport, such as classification, listing, packagings, tanks, freight containers,</li> <li>3. the Joint Meeting of Experts on the Regulations annexed to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) (ADN Safety Committee) (WP.15/AC.2) and the ADN Administrative Committee (in cooperation with the Central Commission for the Navigation of the Rhine (CCNR)), for all matters specific to inland navigation, such as construction and approval of inland navigation vessels, carriage in tank-vessels, operation of vessels, training and examination of crew, etc.,</li> </ol> </li> </ul>	<p>Adoption of amendments to ADR and, through joint activities carried out with the Intergovernmental Organization for International Carriage by Rail (OTIF) and the Central Commission for the Navigation of the Rhine (CCNR), to RID and ADN respectively, intended to maintain the necessary level of safety, security and protection of the environment in a uniform, harmonized and coherent system of transport of dangerous goods regulations based on the UN Recommendations on the Transport of Dangerous Goods, and effective implementation through international and national legislation.</p> <p>Development of recommendations and/or guidelines based on the road map on how to set up the administrative structures required for implementation of ADR adopted at the ninety-third session of the Working Party.</p>

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*Description of cluster (optional)*

*Expected accomplishments from this cluster*

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- Administering ADR and ADN (cooperation with UN Treaty Section, consolidation and checking of legal texts, amendments, depositary notifications, registration and notification of bilateral or multilateral agreements concluded by Parties by derogation to the requirements of ADR or ADN, special authorizations, etc.)
  - Publication of consolidated versions of ADR and ADN every two years,
  - Cooperation with governments and international organizations,
  - Providing technical advice and training, or participating in conferences, seminars and workshops for technical assistance or awareness-raising (upon request and as resources allow).
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### **Outputs/activities**

(a) *Meetings and related parliamentary documentation*

11.1 Working Party on the Transport of Dangerous Goods (96th and 97th sessions in 2014, 98th and 99th sessions in 2015) (40 meetings)

*Documentation:*

Reports of the sessions (4); two series of documents concerning amendments to the technical annexes of ADR or implementation of ADR; consolidated list of all the amendments to ADR which will be adopted for entry into force on 1 January 2015.

11.2 Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods (Spring and Autumn sessions in 2014, Spring and Autumn sessions in 2015) (48 meetings)

*Documentation:*

Reports of the sessions (4); two series of documents concerning amendments to ADR, RID and ADN.

11.3 Joint Meeting of experts on the Regulations annexed to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) (44th and 45th sessions in 2014, 46th and 47th sessions in 2015) (36 meetings).

*Documentation:*

Reports of the sessions (4); two series of documents concerning amendments to the Regulations annexed to ADN or implementation of ADN.

11.4 Administrative Committee of the ADN (12th and 13th sessions in 2014, 14th and 15th sessions in 2015) (4 meetings)

*Documentation:*

Reports of the sessions (4); two series of documents concerning amendments or administration of ADN; consolidated list of all the amendments to ADN which will be adopted for entry into force on 1 January 2015.

(b) *Publications and other information material*

11.5 Consolidated 2015 revised edition of ADR (applicable as from 1 January 2015) (Book, CD-Rom and internet version).

11.6 Consolidated 2015 revised edition of ADN (applicable as from 1 January 2015) (Book, CD-Rom and internet version).

11.7 Publication of information and legal data related to ADR and ADN (Status of the Agreement, Competent authorities, Instructions in writing, Notifications, Bilateral or Multilateral agreements, special authorizations, etc...) on website.<sup>3</sup>

(c) *Technical cooperation*

11.8 Legal and technical assistance to Contracting Parties to ADR and ADN for effective implementation, as well as to ECE or non-ECE countries interested in accession.

11.9 Cooperation with governments and international organizations: providing technical advice and training, or participating in conferences, seminars and workshops for technical assistance or awareness-raising (upon request and as resources allow).

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<sup>3</sup> [www.unece.org/trans/danger/danger.html](http://www.unece.org/trans/danger/danger.html)