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Item 4 of the provisional agenda

Interpretation of RID/ADR/ADN

Interpretation of 1.1.3.1 (c), exemption related to the nature of the transport operation

Transmitted by the International Road Transport Union (IRU)^{1, 2}

Introduction

1. In accordance with 1.1.3.1 (c), the provisions laid down in RID/ADR do not apply to:

“(c) The carriage undertaken by enterprises which is ancillary to their main activity, such as deliveries to or returns from building or civil engineering sites, or in relation to surveying, repairs and maintenance, in quantities of not more than 450 litres per packaging and within the maximum quantities specified in 1.1.3.6. Measures shall be taken to prevent any leakage of contents in normal conditions of carriage. These exemptions do not apply to Class 7.

Carriage undertaken by such enterprises for their supply or external or internal distribution does not fall within the scope of this exemption.”.

2. Using the following example, the IRU would like to show that there is a lack of precision demonstrating that the second paragraph invalidates the first paragraph, giving a completely different interpretation.

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/2013/30.

3. Maintenance workers use a mower (fuel: gasoline UN 1203) with a tank capacity of 10 litres, which allows an endurance of one hour.
4. If we consider that the maintenance workers use this equipment for 7 hours, the fuel consumption will be 70 litres per day.
5. The carriage of the mower to the workplace is done by a delivery van with a diesel engine (diesel fuel UN 1202) and a trailer carrying the mower, which is exempted according to sub-section 1.1.3.1 (c).
6. The workers leave the mower at the workplace and use the delivery van to commute between their office and workplace, including during the lunch break.
7. Three reserve jerricans filled with gasoline UN 1203, with a capacity of 20 litres each, are on board the vehicle.

Interpretation

8. According to the IRU and its members, the second paragraph contradicts the first because the fuel contained in the jerricans does not match the fuel used by the delivery van.
 9. Does sub-section 1.1.3.1 (c) apply or not to this type of transport (last journey)?
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