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Item 6 (b) of the provisional agenda

Proposals for amendments to Annexes A and B of ADR:

Miscellaneous proposals

Draft proposal to amend sub-section 5.4.1.1.1 (f)

Transmitted by the International Road Transport Union (IRU)¹

Summary

Executive summary:	<p>The interpretation of sub-section 5.4.1.1.1 (f) poses problems for transport companies whose drivers are not familiar with the ADR.</p> <p>Drivers performing such deliveries on a daily basis may well be breaching the rules, as they generally do not have the ADR regulations and are hence unable to calculate the values (in points) as per 1.1.3.6.</p> <p>The total quantity of dangerous goods for each transport category and the sum of these values in points shall be indicated in the transport document in accordance with 1.1.3.6.3</p>
Action to be taken:	<p>Amend Note 1 of sub-section 5.4.1.1.1 (f).</p>

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. The transport document(s) must contain the information set out in ADR sub-section 5.4.1.1. The current wording of ADR sub-section 5.4.1.1 (f) is as follows:

“The total quantity of each item of dangerous goods bearing a different UN number, proper shipping name or, when applicable, packing group (as a volume or as a gross mass, or as a net mass as appropriate);

NOTE 1: In the case of intended application of 1.1.3.6, the total quantity of dangerous goods for each transport category shall be indicated in the transport document in accordance with 1.1.3.6.3.”

2. The interpretation of sub-section 5.4.1.1.1 (f) poses problems for transport companies whose drivers are not familiar with ADR. As the drivers do not necessarily have ADR training, they perform their delivery tour without worrying about what might happen, as in the following example:

3. A driver without an ADR training certificate makes his delivery tour as follows:

- At 14 h, he gets a call from the shipping office to pick up goods from company X.
 - 20 kg UN 1016 carbon monoxide, compressed, 2.3 (2.1).
- At about 14.40 h, he gets a new pick-up order :
 - 30 litres UN 1090 Acetone, 3, II ; from company Z.
- And finally, a third pick-up order at 15.30 h:
 - 50 litres UN 1888 Chloroform, 6.1, III.

IRU Observations

4. ADR sub-section 5.4.1.1 does not specify the number of points required to determine the maximum quantity as per sub-section 1.1.3.6. This means that drivers must perform all calculations based on the transport category for each item of dangerous goods.

5. The calculation method is provided only as part of ADR driver training.

6. If one applies 1.1.3.6, non-ADR drivers should be trained according to ADR Chapter 1.3, which is virtually never the case in practice.

7. So in the above example, can this driver perform the carriage? If not, at which stage should he decline the load?

Proposal

8. Drivers performing such deliveries on a daily basis may well be breaching the rules, as they generally do not have the ADR regulations and are hence unable to calculate the values (in points) as per 1.1.3.6.

9. In practice and for ADR trained drivers, one only uses the points (rather than the quantity in litres or kg). Therefore, non-ADR drivers never know if they may or may not carry dangerous goods in accordance with 1.1.3.6.

10. They usually consider that one may lawfully carry such goods up to 1000 kg or 1000 litres. This is a serious mistake.

11. If each transport document gave the sum of points, the calculation would be as follows:

- UN 1016 carbon monoxide, compressed, 2.3 (2.1); 20 kg: 1000 ADR points
- UN 1090 Acetone, 3, II; 30 litres: 90 ADR points
- UN 1888 Chloroform, 6.1, III ; 50 litres : 150 ADR points

12. If the transport document indicated the sum of points, the driver would know that he may carry either only the carbon monoxide, or the acetone with the chloroform. But if the transport document only mentions the quantity in kg or litres as foreseen in 5.4.1.1.1 (f), the driver cannot assess the values for the maximum quantity and exposes himself to sanctions despite genuinely thinking that he is within his rights.

13. Draft proposal to amend sub-section 5.4.1.1.1 (f) of ADR:

Amend Note 1 in sub-section 5.4.1.1.1 (f) to read as follows (changes in bold):

*“**NOTE 1:** In the case of intended application of 1.1.3.6, the total quantity of dangerous goods for each transport category **and the sum of these values in points shall be indicated in the transport document in accordance with 1.1.3.6.3.**”*

Justification

Safety: Clear text improves transport safety.

Feasibility: Avoids any confusion in the interpretation of texts.

Facilitates the application of sub-sections 1.1.3.6 and 5.4.1.1.1 (f).