



## Economic and Social Council

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### Economic Commission for Europe

#### Inland Transport Committee

#### Working Party on the Transport of Dangerous Goods

##### 102nd session

Geneva, 8-12 May 2017

Item 5 (a) of the provisional agenda

**Proposals for amendments to Annexes A and B of ADR:  
construction and approval of vehicles**

### **Tanks: First inspection waiver for EX/II, EX/III, FL and AT vehicles and MEMUs type-approved in accordance with 9.1.2.2 for which a declaration of conformity with the requirements of Chapter 9.2 has been issued**

**Transmitted by the Government of the United Kingdom\***

#### *Summary*

**Executive summary:** The United Kingdom has experienced delays in processing vehicle test applications, to address this an authorisation has been issued to allow the first inspection on EX, FL and AT vehicles and MEMUs to be waived until the first anniversary test. Due to positive results, the United Kingdom is proposing to amend ADR to allow the waiver of the first inspection requirement to be extended to include EX, FL, AT vehicles and MEMUs.

**Action to be taken:** Amend subsection 9.1.2.1.

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\* In accordance with the programme of work of the Inland Transport Committee for 2016-2017, (ECE/TRANS/2016/28/Add.1 (9.1)).

## Introduction

1. Recently the United Kingdom has experienced delays in processing ADR vehicle test applications. This has affected the ability of manufacturers, their agents and operators to place new vehicles in service. In order to lessen the impact, the United Kingdom has issued an authorisation which extends the waiver contained within 9.1.2.1 of ADR, to allow relevant new type-approved tank vehicles to be placed in service and used domestically, for up to 1 year without ADR vehicle test or ADR1C certification, provided a declaration of conformity is submitted to the United Kingdom's Driver and Vehicle Standards Agency (DVSA), by the manufacturer or import concessionaire. An example declaration as used by the UK is contained in Annex A.

2. The authorisation was issued in August 2016, and to date the DVSA has not reported any adverse consequences as a result of this authorisation. And has noted a positive reduction in lead times with vehicle test inspections. Thus, the United Kingdom proposes an amendment to 9.1.2.1 of ADR so that the competent authority may also waive the first inspection for EX, FL and AT vehicles and MEMUs. We recognise that the authorisation in the United Kingdom has not operated for long, thus we propose that the Working Party considers the proposal, but defers a decision until the November 2017 meeting, when we will be able to provide a more complete picture of our experience with this authorisation.

## Proposal

3. Add the underlined/bold text to paragraph three of 9.1.2.1 of ADR as follows:

“The competent authority may waive the first inspection for **an EX, FL and AT vehicle and a MEMU and** a tractor for a semi-trailer type-approved in accordance with 9.1.2.2 for which the manufacturer, his duly accredited representative or a body recognised by the competent authority has issued a declaration of conformity with the requirements of Chapter 9.2.”.

## Justification

4. Extending the discretion of the Competent Authority to waive the first inspection for EX, FL and AT vehicles and MEMUs type approved in accordance with 9.1.2.2 would not compromise safety, but would minimize the burden on business when placing new vehicles into service, by reducing the delays and costs arising from the first inspection. As noted, there has been positive results in the United Kingdom from an authorisation in place to this effect since August 2016.

Annex

[English only]

DECLARATION OF CONFORMITY FOR A NEW ADR TYPE APPROVED TANK VEHICLE

MANUFACTURER'S OR IMPORT CONCESSIONAIRE'S DECLARATION

Please tick/complete the appropriate boxes below. See notes overleaf.

I declare that the new EX/III FL AT OX MEMU

Tank vehicle of make and type

with chassis or VIN

is (i) in conformity with type approval certificate number

issued by a competent authority in accordance with ECE Regulation 105 or Directive 98/91/EC whose technical requirements correspond to those of Chapter 9.2 of the European Agreement Concerning the International Carriage of Dangerous Goods by Road and (ii) has not been modified in any way that would affect the validity of the type-approval Certificate.

The vehicle was placed in service/ is to be placed in service from And so is compliant to be used under its alternative carriage provisions to carry dangerous goods in Great Britain without certification under part 9 of ADR until the vehicle's first HGV Annual Test is due under the Goods Vehicle (Plating and Testing) Regulations 1988 as amended.

The tank shell and its equipment have been initially inspected under 6.8.2.4.1 of ADR.

DECLARATION

DECLARATION - I declare that this information is true.

Signed : Date :

Print Name :

Position in Company :

Name and address of manufacturer or import concessionaire :

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## NOTE ON DEFINITIONS OF VEHICLE CATEGORIES (ADR 9.1.1.2)

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“**EX/III vehicle**” means a vehicle intended for the carriage of explosive substances and articles in bulk (Class 1);

“**FL vehicle**” means:

- a) A vehicle intended for the carriage of liquids having a flash-point of not more than 60oC (with the exception of diesel fuel complying with standard EN 590:2009 +A1:2010, gas oil and heating oil (light) – UN No.1202 – with a flash-point as specified in standard EN 590:2009 + A1:2010) in fixed tanks or demountable tanks with a capacity exceeding 1 m<sup>3</sup> or in portable tanks, tank containers or MEGCs with an individual capacity exceeding 3 m<sup>3</sup>; or
- b) A vehicle intended for the carriage of flammable gases in fixed tanks or demountable tanks with a capacity exceeding 1 m<sup>3</sup> or in tank-containers, portable tanks or MEGCs with an individual capacity exceeding 3 m<sup>3</sup>; or
- c) A battery vehicle with a total capacity exceeding 1 m<sup>3</sup> intended for the carriage of flammable gases;

“**OX vehicle**” means a vehicle intended for the carriage of hydrogen peroxide, stabilised or hydrogen peroxide, aqueous solution stabilised with more than 60% hydrogen peroxide (class 5.1, UN No.2015) in fixed tanks or demountable tanks with a capacity exceeding 1 m<sup>3</sup> or in tank containers or portable tanks with a capacity exceeding 3 m<sup>3</sup>;

“**AT vehicle**” means:

- a) A vehicle other than EX/III, FL or OX vehicle or than a MEMU, intended for the carriage of dangerous goods in fixed tanks or demountable tanks with a capacity exceeding 1 m<sup>3</sup> or in tank-containers, portable tanks or MEGCs with an individual capacity exceeding 3m<sup>3</sup>; or
- b) A battery vehicle with a total capacity with a total capacity exceeding 1 m<sup>3</sup> other than an FL vehicle;

“**MEMU vehicle**” means a vehicle meeting the definition of a Mobile Explosives Manufacturing unit in ADR 1.2.1, viz “being a unit, or a vehicle mounted with a unit, for manufacturing and charging explosives from dangerous goods that are not explosives. The unit consists of various tanks and bulk containers and process equipment as well as pumps and related equipment. The MEMU may have special compartments for packaged explosives. *Note: Even though the definition of MEMU includes the expression “manufacturing and charging of explosives”, the requirements for MEMUs in ADR apply only to carriage and not to manufacturing or charging of explosives.*”