**Economic Commission for Europe**

Inland Transport Committee

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

**108th session 4 November 2020**

Geneva, 10-13 November 2020

Item 6 of the provisional agenda:

**Interpretation of ADR**

Questions of interpretation: Application of the requirements concerning the electrical equipment of vehicles in accordance with 9.2.1.1 of ADR – transitional provisions

Transmitted by the Government of Germany

Background

This informal document was already submitted as informal document INF.16 at the 107th session (11-15 November 2019) (see ECE/TRANS/WP.15/248, § 78-79).

In reply to the question raised by Germany, several cases were discussed:

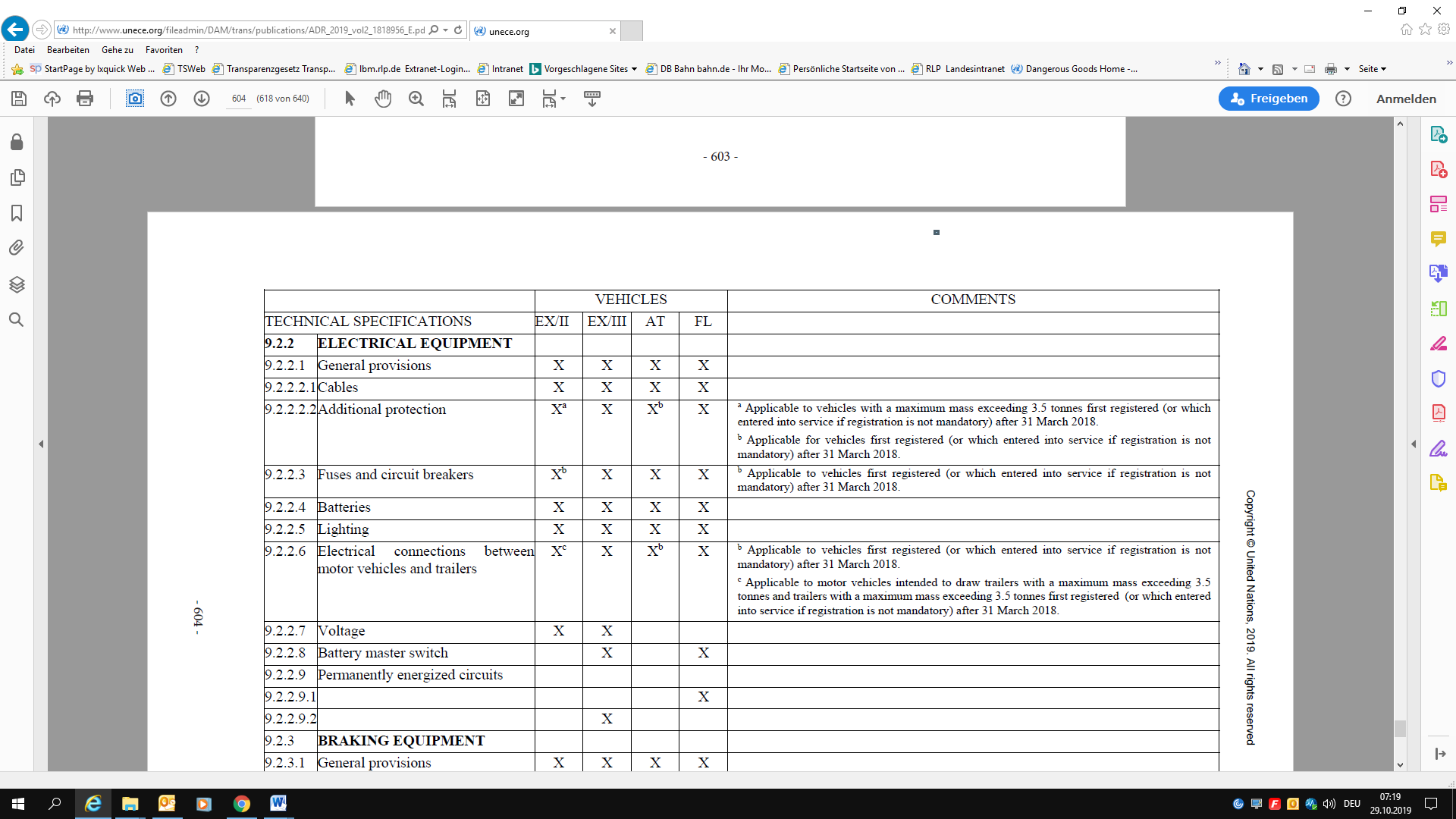
(a) Standard vehicle registered earlier than the date shown in the “Comments” column of the table in 9.2.1.1 and converted during the same period for the purposes of ADR and deemed to comply with ADR;

(b) Standard vehicle registered earlier than the date shown in the “Comments” column in 9.2.1.1 but converted to an ADR vehicle after new requirements have been introduced in ADR;

(c) Vehicles that did not meet the requirements to be approved as ADR vehicles at the time of registration.

Opinions differed and it was agreed that this subject would be discussed again at the 108th session.

Introduction



Summary

1. In the table for 9.2.1.1 of ADR, reference is made to vehicles such as EX/II, EX/III, FL and AT that, in accordance with the requirements of Chapter 9.2, have to comply with this table. For the electrical equipment, the column „comments“ in the table contains information in a and b on the applicability for vehicles.

2. The wording „registered“ and, additionally in some instances, „entered into service if registration is not mandatory“ are used for this purpose. Formally, this provision thus aims at the registration in accordance with road traffic law, as an entry into service in accordance with dangerous goods law instead of the registration in accordance with traffic law is not provided for in ADR.

3. However, the question arises of whether this was really the intention of the transitional requirements. In particular, the question arises of which requirements the electrical equipment of vehicles that were first registered before 31 March 2018 but are to be used as an EX/II, EX/III, FL or AT vehicle only at a later date and whose electrical equipment thus does not comply with the requirements of Part 9 of a previous version of ADR has to comply with. After 31 March 2020, the requirements of Part 9 in force up to 31 December 2018, too, will no longer be applicable (see 1.6.5.4).

Discussion

Issue to be discussed:

Question 1:

Does this provision in the table concerning the electrical equipment of vehicles first registered for road traffic in general after 31 March 2018 (first registration after manufacture, in accordance with road traffic law) refer to the registration within the meaning of road traffic law?

Question 2:

Does this provision in the table concerning the electrical equipment of vehicles also apply to vehicles first registered after 31 March 2018 as an ADR certified vehicle (EX/II, EX/III, AT, FL) with a certificate of approval in accordance with Part 9 of ADR?