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Joint Meeting of the RID Safety Committee and the  
Working Party on the Transport of Dangerous Goods  
(Bern, 28 May – 1 June 2001)

**PROPOSAL TO AMEND THE TEXT OF THE RID/ADR**

**PART 1–section 1.1.3 Exemptions**

**Transmitted by the European Industrial Gases Association (EIGA) \*/**

**SUMMARY**

<i>Executive summary:</i>	This proposal aims at clarifying the conditions to exempt carriage of dangerous goods in 1.1.3.1
<i>Action to be taken:</i>	Delete the last sentence of 1.1.3.1 c).
<i>Relevant documents:</i>	<b>TRANS/WP.15/159/Add.1.</b>

\*/ Circulated by the Central Office for International Carriage by Rail (OCTI) under the symbol OCTI/RID/GT/III/2001/16.

## **Introduction**

Section 1.1.3.1 list the different cases of carriage where the provisions laid down in the RID/ADR do not apply.

Some of our members have brought to EIGA's attention that their customers have been fined after a roadside check because they did not have a transport document when bringing back empty gas receptacles to the suppliers.

Those customers that thought they were exempted because the use of gas cylinders and their carriage is "ancillary to their main activity" as made conditional in 1.1.3.1 c) but they were fined because of the last sentence of this paragraph:

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

In practice, the carriage is considered as exempted if the gas receptacles are transported together with other materials (say construction material or pieces of metallic structure) but not transported alone.

Raising a transport document according to the provisions of chapter 5.4 is routine business for the gas suppliers and all customers collecting gas receptacles leave the gas suppliers with a transport document. It is however a major problem for most of the customers to issue a transport document that satisfies the requirements of chapter 5.4.

EIGA is of the opinion that the last sentence of 1.1.3.1 c) is an unnecessary burden for the customers of the gas industry and that it does not add anything to the safety of the transport of dangerous goods, provided that the goods are packed in conformity to the requirements of ADR. Therefore, EIGA proposes to make this exemption conditional to the use of ADR conform packagings.

## **Proposal**

**Modify 1.1.3.1 c) as follows (new text is underlined):**

*"the carriage undertaken by enterprises which is ancillary to their main activity, such as deliveries to building or civil engineering sites, or in relation to surveying, repairs and maintenance,*

- *in packagings in conformity with the relevant requirements of Part 4, and*
- *in quantities of not more than 450 litres per packaging and*
- *within the maximum quantities specified in 1.1.3.6.*

**Delete the last sentence of 1.1.3.1 c).**

## **Justification**

*Safety:* The existing level of safety will be maintained.

*Feasibility:* The proposal will clarify the text of the restructured ADR/ADR

*Enforceability:* Enforcement will rely upon checking that carrying dangerous goods is not the main activity of the carrier.

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