



**Economic and Social
Council**

Distr.
GENERAL

TRANS/WP.15/AC.1/2003/64
22 July 2003

ENGLISH
Original: FRENCH

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on the Transport of Dangerous Goods

Joint Meeting of the RID Safety Committee and the
Working Party on the Transport of Dangerous Goods
(Geneva, 13-17 October 2003)

SECURITY PROVISIONS (NEW CHAPTER 1.X OF RID/ADR)

Transmitted by the Government of Austria*

The secretariat has received from the Central Office for International Carriage by Rail (OCTI) the proposal reproduced below.

* Circulated by the Central Office for International Carriage by Rail (OCTI) under the symbol OCTI/RID/GT-III/2003/64.

Preliminary remarks

At the last RID/ADR Joint Meeting (Bern, 24-28 March 2003), a majority decision was taken to include in RID/ADR a Chapter "1.x" entitled "Security provisions". This decision was also accepted by the Government of Austria, although Austria is among the States which in principle share the reservations expressed by the legal service of OCTI.

After discussion at the national level the following comments on the text published in document TRANS/WP.15/AC.1/92/Add.2-OCTI/RID/GT-III/2003-A/Add.2 have emerged in the light of these considerations.

With reference to introductory Notes 1 and 2:

- NOTE 1: In its present form the first sentence is not relevant to States in which security is ensured even without this chapter of RID/ADR. As was particularly stressed by the representatives of the economy, the objective is rather to promote the uniformity of these provisions.

Proposal: In NOTE 1, first sentence, "to address" should be replaced by "to determine uniformly".

- NOTE 2, which defines the notion of "security", should be placed before NOTE 1 which already presupposes this definition.

Proposal: Invert the Notes.

Re 1.x.1.1

A reference should be made in this provision to 1.4.1, in particular because of 1.4.1.2.

Proposal: 1.x.1.1, read:

"In the context of the general safety measures according to section 1.4.1, the participants in the transport of dangerous goods shall also comply with the requirements of this chapter."

Re 1.x.1.3

Since this subsection contains an obligation linked to considerable problems of implementation, in particular to heavy expenses, it must be clarified what participants are concerned by the obligation and what its exact scope is. This is not the case in the existing wording. The operators (managers) should be directly addressed. In addition, the term "site", which in itself has a very broad meaning, should be separately linked with "temporary storage" by giving a definitive list of places (currently terminals, vehicle depots, berthing areas and marshalling yards) so as to obviate misunderstandings.

Proposal: 1.x.1.3, read:

“Managers of terminals, vehicle depots, berthing areas and marshalling yards should ensure that temporary storage sites, which must be taken into consideration in the context of the transport of dangerous goods, are properly secured, well lit and not freely accessible to the general public.”

Re 1.x.3.1

Since this provision only refers in any case to “implementing national security provisions”, it seems superfluous in its present form. It seems more judicious to ascertain by means of a questionnaire what practice is in the member States of COTIF/Contracting Parties to ADR and, if necessary, make provision for standard rules on the basis of the results.

Proposal: Delete 1.x.3.1; prepare a questionnaire.

Re 1.x.3.2.2 (h)

It would be necessary to find a better means of conveying that this transport information should be limited not in terms of scope but only in terms of its distribution.

Proposal: 1.x.3.2.2 (h), read:

“Measures to ensure that the distribution of transport information does not exceed the requirements and purpose of security.”

Re 1.1.3.3

If the use of electronic systems enabling the monitoring of transport seems worth encouraging, this ultimately non-binding provision seems less appropriate if it is to be used efficiently here. It would be better for this purpose to use NOTE 2 to 5.4.0 which refers to the availability of electronic data as equivalent to paper documentation. It should be added that this equivalence exists if the data are available at all times for emergency response and for inspections of dangerous goods. An addition should be made to 8.1.2 of ADR to the effect that if use is made of an electronic system permitting the monitoring of the transport operation for emergency response and for inspections of dangerous goods provision for carrying paper documentation should be abandoned.

Proposal: Delete 1.x.3.3; the States concerned should prepare a joint proposal to add to NOTE 2 of 5.4.0, and possibly also 5.4.1.4.2 and 8.1.2 (ADR).

Re 1.x.3.4

This provision includes an obligation to equip vehicles in which high consequence dangerous goods are to be carried with an antitheft device. The existence and capacity of the vehicle’s equipment are normally verified in the context of the approval or the periodic inspection of the vehicles and, if necessary, confirmed by marking or a document (see,

for example, 8.1.4.4 or 9.1.2.1.5 of ADR). This obligation concerns manufacturers, operators or owners of the equipment or the vehicles and not merely the carrier. It also seems likely to cause problems to make provision for mandatory equipment of this nature without technical proposals.

Proposal: Delete 1.x.3.4; if necessary, preparation of proposals by the specialized bodies for rail, road and inland navigation traffic to add to the requirements for vehicles.

Table 1.x.1

As others have already explained, this table reveals considerable differences as regards the types and quantities of goods contained in Chapter 8.5 and subject to supervision requirements under Chapter 8.4.

Here are some examples:

- 8.5, S 1 requires supervision for all substances of Class 1 having a total mass of explosive substance of more than 50 kg; Table 1.4.1, however, excludes Division 1.4 overall and part of Division 1.3.
- 8.5, S 17 provides for supervision when the total mass exceeds 1,000 kg for UN No. 1790 hydrofluoric acid, 8, I; Table 1.x.4 only applies, however, as from a quantity greater than 3,000 kg or litres.
- 8.5, S 20 provides for supervision when the total mass exceeds 1,000 kg for UN No. 1203 petrol, 3, II; Table 1.x.1 already applies, however, for a quantity greater than 3,000 kg or litres.

Proposal: The values in 8.5 and in Table 1.x.1 should be brought into line provided that this can be justified (see also the following proposal for NOTE 1).

Table 1.x.1, NOTE 1

The text of the idea of carriage “in bulk” seems to a large extent to exclude carriage in packages, even in large quantities.

Proposal: Delete NOTE 1; show the scope of carriage in tanks, in bulk and in packages, together with the quantities, as a value in the actual table.
