

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on the Transport of Dangerous Goods
(Seventy-eight session, agenda item 5,
Geneva, 9 -12 May 2005)

Part 1 of ADR

1.6.5.4 and 1.6.5.8 – Transitional provisions for EX/II and EX/III vehicles

Transmitted by the Governments of Norway and Sweden

SUMMARY

Executive Summary:	The wording of 1.6.5.4 allows for the construction of EX/II and EX/III vehicles according to the provisions of Part 9 applicable until 31 December 2004 up to 31 December 2005. However, the transitional provisions for the continuing use of these vehicles in 1.6.5.8 has a reference to vehicles first approved before 1 July 2005 and which comply with the requirements of Part 9 in force up to 31 December 2004 but which do not conform to the requirements applicable as from 1 January 2005 may be used until 31 December 2014.
Action to be taken:	Align the text in 1.6.5.8 with the text in 1.6.5.4 so that the existing gap between the dates of entry into force between the two texts is eliminated.
Related documents:	TRANS/WP.15/2005/12.

Introduction

The wording of 1.6.5.4 allows for the construction of EX/II and EX/III vehicles according to the provisions of Part 9 applicable until 31 December 2004 up to 31 December 2005.

However, the transitional provisions for the continuing use of these vehicles in 1.6.5.8 has a reference to vehicles first approved before 1 July 2005 and which comply with the requirements of Part 9 in force up to 31 December 2004 but which do not conform to the requirements applicable as from 1 January 2005 may be used until 31 December 2014.

Proposal

Change the text in the first line of 1.6.5.8 to read:

“EX/II and EX/III vehicles which have been first approved before 1 January 2006 and which”. The rest remains unchanged.

Alternatively, Norway and Sweden can accept the indication of France in TRANS/WP.15/2005/12 to abolish the final date of use for EX/II and EX/III vehicles built in accordance with the requirements of the 2003 edition of ADR. In that case, the text of 1.6.5.8 should be changed to read “EX/II and EX/III vehicles which have been first approved before 1 January 2006 and which comply with the requirements of Part 9 in force up to 31 December 2004 but which do not however conform to the requirements applicable as from 1 January 2005 may still be used.”

Justification

The variation in the referenced dates of the two transitional measures creates a “hole” in which vehicles may be constructed and used, but which will not be part of the transitional period of use stated in 1.6.5.8. The way the text is now written in 1.6.5.4 and 1.6.5.8, these vehicles may be used indefinitely.

Safety implications

The proposal introduces no changes to the safety level of transporting explosives.

Feasibility

No problems foreseen.

Enforceability

No problems in enforceability are foreseen.
