

Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Dangerous Goods

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Interpretation of ADR

Interpretation of frequency of technical inspections mentioned in Part 9 of ADR

Transmitted by the Government of Sweden

1. There are some sections in part 9 of the ADR that regulate an annual technical inspection of vehicles.

9.1.1.1 *Scope*

The requirements of Part 9 shall apply to vehicles of categories N and O, as defined in Annex 7 of the Consolidated Resolution on the Construction of Vehicles (R.E.3), intended for the carriage of dangerous goods.

These requirements refer to vehicles, as regards their construction, type approval, ADR approval and annual technical inspection.

9.1.2.3 Annual technical inspection

EX/II, EX/III, FL, OX and AT vehicles and MEMUs shall be subject to an annual technical inspection in their country of registration to make sure that they conform to the relevant requirements of this Part, and to the general safety regulations (concerning brakes, lighting, etc.) in force in their country of registration.

The conformity of the vehicle shall be certified either by the extension of validity of the certificate of approval or by the issue of a new certificate of approval in accordance with 9.1.3.

9.1.3.4 The validity of a certificate of approval shall expire not later than one year after the date of the technical inspection of the vehicle preceding the issue of the certificate. The next approval term shall, however, be related to the last nominal expiry date, if the technical inspection is performed within one month before or after that date.

2. From sub-sections 9.1.1.1 and 9.1.2.3 it can be concluded that an annual technical vehicle inspection is needed to check the conformity to requirements of part 9 and the general traffic safety regulations.

3. Directive 2009/40/EC of the European Parliament and of the Council of 6 May 2009 on roadworthiness tests for motor vehicles and their trailers, regulates the test frequency for different categories of vehicles. The Directive states that motor vehicles used for the carriage of goods and having a maximum permissible mass exceeding 3 500 kg shall have a test frequency of one year after the date on which the vehicle was first used, and thereafter annually. For this category there is no discrepancy to the ADR.

4. However, for motor vehicles with a maximum permissible mass not exceeding 3 500 kg, the frequency of tests shall be four years after the date on which the vehicle was first used, and thereafter every two years. In Sweden such vehicles can get an EX/II approval and are used by enterprises to carry explosives. According to Article 5 (a) in this directive Member States may bring forward the date for the first compulsory roadworthiness test and, where appropriate, require the vehicle to be submitted for testing prior to registration.

5. The Government of Sweden would like to know the view of the Working Party on the interpretation of the text contained in the referred sub-sections of ADR in relation to Directive 2009/40/EC.
