

Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Dangerous Goods

15 September 2015

Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods

Geneva, 15–25 September 2015

Item 2 of the provisional agenda

Harmonization with the United Nations Recommendations on the Transport of Dangerous Goods

Comments on INF.12 - Carriage of vehicles engines and machinery

Transmitted by the Government of Switzerland

Introduction

1. After a careful review of the proposal of France, Switzerland thinks that the following points should be discussed before taking a decision:
 - How could the obligation to meet the construction requirements for vehicles introduced in RID/ADR/ADN be transposed by the users (producers of vehicles, garages, etc.)?
 - Is it possible and easy to verify if the lithium batteries installed in vehicles already in use fulfil the requirements of 2.2.9.1.7? How will garage mechanics be able to fulfil the requirements of SP 6XX (b)?
 - The construction rules for vehicles cannot be ruled out by the regulations on the transport of dangerous good. If any, restrictions should be defined by the UNECE World Forum for Harmonization of Vehicle Regulations (WP.29).
2. Furthermore, Switzerland would like to provide their comments on the proposal.

Comments on the proposal

3. We do believe that for the equipment on vehicles used during carriage, the exemptions in 1.1.3.3 (a), (b) and (c) have to be maintained. If the Joint Meeting however decides to delete 1.1.3.3 (b) and (c), then 1.1.3.7 should also be deleted.
4. SP363 already exempts machinery and equipment installed on vehicles. The wording in SP 363 (g) (iii) in the proposal by France has remained unchanged from the current RID/ADR/ADN. This means that the exemption SP 363 for machinery and engines on vehicles (mostly on trailers) not used during transport will continue to apply. For this reason we see no need to assign SP6YY to the UN Numbers 3528, 3529 and 3530. Furthermore the existence of two special provisions exempting the same machinery brings unnecessary discussions about which exemptions apply when. We believe that we should not convert our legislation into a supermarket where users choose what exemption they prefer.

5. 1.1.3.3 b) and c) exempt vehicles (including the so called non-road mobile machinery) carried as a load, which will be used at destination in a transport operation, including on open roads. When used at destination they can be exempted according to 1.1.3.3 a) provided they contain a maximum of 1500 l of fuel. This does not appear in the proposed new structure because 1.1.3.3 a) is separated from SP 6XX and 6XY.
6. The deletion of 1.1.3.2 (b), 1.1.3.3 (b) and (c) only and not also of 1.1.3.2 (a) and 1.1.3.3 (a) appears contradictory and brings some supplementary difficulties.
7. We wonder how it would be possible to apply SP6XX to vehicles used and exempted according to 1.1.3.3 (a) once they are carried as a load. The same vehicle, firstly exempted by 1.1.3.3 a), would then be subject, when carried as a load, to more provisions (SP240, 312 and 385).
8. In the proposal of France, vehicles carried as a load with lithium batteries installed (and only to the loaded ones) have to meet the requirements of 2.2.9.1.7. If this is not required also for vehicles used and exempted according to 1.1.3.2 (a), 1.1.3.3 (a) (and 1.1.3.7 for lithium batteries), it will not be possible to require it when the same vehicles are carried at some point as a load.
9. We believe that coherently the proposal by France should require vehicles exempted by 1.1.3.2 (a) and 1.1.3.3 (a) to meet the requirement of 2.2.9.1.7. This implies at the same time excluding lithium batteries from the scope of the exemption 1.1.3.7, and should be as well included in the proposal.
10. We believe that SP6YY should not be assigned to UN 3520, 3529 and 3530 because SP363 already exempts machinery and equipment not used during carriage and 1.1.3.3 (a) exempts non-road mobile machinery when used on open roads. Non-road mobile machinery when used at destination cannot be considered as a pure machinery but as vehicle which meets the requirements in 1.1.3.3 (a). That means they should be limited to 1500 l of fuel. Keeping 1.1.3.3 (b) and (c) as there are already achieves the scope of the exemptions. By assigning non-road mobile machinery to UN 3520, 3529 and 3530 suddenly these entries could be considered as entries for vehicles. This is totally in contradiction with their designation "ENGINE, INTERNAL COMBUSTION, FLAMMABLE LIQUID POWERED or ENGINE, FUEL CELL, FLAMMABLE LIQUID POWERED or MACHINERY, INTERNAL COMBUSTION, FLAMMABLE LIQUID POWERED or MACHINERY, FUEL CELL, FLAMMABLE LIQUID POWERED".
11. Other means of conveyance like boats will no more be exempted if 1.1.3.3 b) is deleted.
12. We should not complicate the rules for normal users of vehicles that are not carrying goods at all. With the introduction of SP 240, 312 and 363 each load of vehicles, new or old, will be subject to these special provisions. For land transport at least the introduction of SP 240 and 312 does not bring any advantage nor more clarity.
13. The only concern expressed in the proposal is the use of lithium batteries installed on any vehicle, equipment of vehicle, machinery and apparatus which should conform to 2.2.9.1.7. We do not think it is necessary to displace the texts from 1.1.3 to other parts of the regulations to solve the issue of lithium batteries. It could be achieved by introducing provisions of 2.2.9.1.7 in 1.1.3.1 (b), 1.1.3.2 (a) and (b) and 1.1.3.3 and excluding lithium batteries from the scope of the exemption in 1.1.3.7. Then adopting as proposed the entries UN 3528, 3529 and 3530 together with SP 363 and adding relevant transitional measures.
14. This could be achieved by adding a NOTE in 1.1.3.1 (b), 1.1.3.2 (a) and (b), 1.1.3.3 and 1.1.3.7 as follows:

"NOTE this exemption does not apply to lithium batteries. Lithium batteries shall meet the requirements of 2.2.9.1.7, except when otherwise specified by RID/ADR/ADN (e.g. for

prototype batteries and small production runs under special provision 310 or damaged batteries under special provision 376).".

15. Finally, in relation with the exclusion of lithium batteries only from the exemption of 1.1.3.7, we should clarify why only lithium batteries are subject to the provisions of RID/ADR/ADN when installed in vehicles and not the other electric energy storage and production systems.
