

Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Dangerous Goods

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Interpretation of ADR

26 October 2016

Necessity of including a reference to the provisions of Section 8.2.3

Transmitted by the Government of Romania

1. We want to know the views of the Working Party regarding the necessity of including a reference to the provision of Section 8.2.3 in the list of the applicable provision of:

- Section 3.4.1 for dangerous goods packed in limited quantities and
- Section 3.5.1 for dangerous goods packed in excepted quantities.

2. In our opinion, the reference to the Section 8.2.3 in the list of the applicable provisions for Chapters 3.4 and 3.5 might be visible enough because the persons involved in these cases in the carriage of dangerous goods are not holders of ADR driver training certificates (commonly). These persons mentioned before are not always members of the vehicle crew (as defined in 1.2.1) and, only the Section 8.2.3 includes them in the proper way.

3. Currently the provisions of 8.2.3 are in force for the Chapters 3.4 and 3.5 by means of the Note 2 of Section 1.3.1.

4. Romania is prepared to draw up the draft amendments if the Working Group decides that it is necessary to make changes to ADR for a better implementation of the provisions related to the training of the persons involved in the carriage of dangerous goods.

5. To facilitate the analysis, we present below excerpts of sections 1.3.1, 3.4.1, 3.5.1 and 8.2.3.

1.3.1 Scope and applicability

Persons employed by the participants referred to in Chapter 1.4, whose duties concern the carriage of dangerous goods, shall be trained in the requirements governing the carriage of such goods appropriate to their responsibilities and duties. Employees shall be trained in accordance with 1.3.2 before assuming responsibilities and shall only perform functions, for which required training has not yet been provided, under the direct supervision of a trained person. Training requirements specific to security of dangerous goods in Chapter 1.10 shall also be addressed.

NOTE 1: With regard to the training for the safety adviser, see 1.8.3 instead of this section.

NOTE 2: With regard to the training of the vehicle crew, see Chapter 8.2 instead of this section.

3.4.1 This Chapter provides the provisions [...].

Limited quantities of dangerous goods packed in such limited quantities, meeting the provisions of this Chapter are not subject to any other provisions of ADR except the relevant provisions of:

- (a) Part 1, Chapters 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.8, 1.9;
[...]
- (g) Part 7, Chapter 7.1 and 7.2.1, 7.2.2, 7.5.1 (except 7.5.1.4), 7.5.2.4, 7.5.7, 7.5.8 and 7.5.9;
- (h) 8.6.3.3 and 8.6.4.

3.5.1 Excepted quantities

3.5.1.1 Excepted quantities of dangerous goods of certain classes, other than articles, meeting the provisions of this Chapter are not subject to any other provisions of ADR except for:

- (a) The training requirements in Chapter 1.3;
- (b) The classification procedures and packing group criteria in Part 2;
- (c) The packaging requirements of 4.1.1.1, 4.1.1.2, 4.1.1.4 and 4.1.1.6.

NOTE: In the case of radioactive material, the requirements for radioactive material in excepted packages in 1.7.1.5 apply.

8.2.3 Training of persons other than the drivers holding a certificate in accordance with 8.2.1, involved in the carriage of dangerous goods by road

Persons whose duties concern the carriage of dangerous goods by road shall have received training in the requirements governing the carriage of such goods appropriate to their responsibilities and duties according to Chapter 1.3. This requirement shall apply to individuals such as personnel who are employed by the road vehicle operator or the consignor, personnel who load or unload dangerous goods, personnel in freight forwarding or shipping agencies and drivers of vehicles other than drivers holding a certificate in accordance with 8.2.1, involved in the carriage of dangerous goods by road.
