

Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Dangerous Goods

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Interpretation of ADR

Interpretation of the requirements for the vehicle certificate of approval – 9.1.3. ADR

Transmitted by the Government of the Republic of Latvia

Summary

Executive summary: The “Certificate of approval for vehicles carrying certain dangerous goods - 9.1.3.5 ADR” issued by the Latvian competent authority does not contain section No. 13 “Extension of validity”. In case of prolonging the certificate is replaced by a new one thus making section No. 13 irrelevant, due to it never containing any additional information.

Action to be taken: Discussion

Introduction

1. According to 9.1.3.1. of ADR 2019 “conformity of EX/II, EX/III, FL and AT vehicles and MEMUs with the requirements of this Part is subject to a certificate of approval (certificate of ADR approval) issued by the competent authority of the country of registration for each vehicle whose inspection yields satisfactory results or has resulted in the issue of a declaration of conformity with the requirements of Chapter 9.2 in accordance with 9.1.2.1”.

2. 9.1.3.3. defines that:

- The certificate of approval shall have the same layout as the model shown in 9.1.3.5;
- The dimensions shall be 210 mm × 297 mm (format A4);
- Both front and back may be used;
- The colour shall be white, with a pink diagonal stripe.

3. According to 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 or less if it is restricted by the date of the next tank inspection. 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.

Discussion

4. In Latvia information on the certificate is printed out of a national register in order to exclude any potential forgery or data falsification cases thus if an extension of a certificate is needed a new document is prepared and printed out annually.
5. Due to above mentioned the certificate of approval for vehicles carrying certain dangerous goods - 9.1.3.5 ADR issued by the Latvian competent authority does not contain section No. 13 "Extension of validity". In case of prolonging of the certificate it is replaced by a new one thus making section No. 13 irrelevant as it never contains any information.
6. In our case it would be undesirable to extend the validity of an existing document, as the system does not support adding additional information to a printed document.
7. Recently a Latvian carrier was fined on the territory of another ADR contracting party for not complying to 9.1.3.5 of ADR. This situation was caused by the fact, that the certificate of approval, issued by the competent authority of Latvia, does not contain Section No.13 "Extensions of validity" on the back side due to considerations explained above.
8. In our point of view, it is not mandatory to have section No.13 "Extension of validity", if section No.12. "Valid until" contains data about the validity of the document as well as bears a stamp of issuing service, place, date, and signature.
9. We would like to ask WP.15 to provide the following explanations in line with the context and scope of 9.1.3.5:
 - (a) Do other contracting parties issue a new certificate of approval, annually, instead of extending the validity of an existing one? What is the practice of other ADR contracting parties in cases when information in sections 1 to 12 has to be changed in the Certificate of approval? Do contracting parties issue a new certificate of approval or amend and extend the validity of an already existing one?
 - (b) Can a certificate be considered as complying to 9.1.3.5 of ADR if it does not contain section No. 13 "Extension of validity" and a new certificate is issued annually?
