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Item 5 (b) of the provisional agenda

Proposals for amendments to RID/ADR/ADN: new proposals

Include a time limit for recognized technical codes in RID/ADR 6.2.5 and in 6.8.2.7 and 6.8.3.7

Transmitted by the Government of Germany*

Summary

Executive summary:	Include a time limit for recognized technical codes.
Action to be taken:	Addition to RID/ADR 6.2.5, 6.8.2.7 and 6.8.3.7.
Related documents:	None.

Introduction

1. According to RID/ADR 6.2.5, the competent authority may in certain cases recognize the use of a technical code providing the same level of safety for the design, construction and testing of non-UN pressure receptacles.

* In accordance with the programme of work of the Inland Transport Committee for 2018-2019, (ECE/TRANS/WP.15/237, annex V, (9.2)).

2. The same rule can be found in RID/ADR 6.8.2.7 for tanks and in RID/ADR 6.8.3.7 for battery-wagons/battery-vehicles that are not designed, constructed and tested in accordance with referenced standards.

3. However, the regulations do not contain any provisions on the time limit of recognized technical codes. In Germany, it is assumed that they have to be withdrawn at the latest when there is no longer a reason to recognize them.

4. So for example, following the inclusion of a reference to a new standard for non-UN pressure receptacles in RID/ADR 6.2.2 or 6.2.4, it should no longer be possible for a competent authority to continue recognizing a technical code, as this can no longer be justified on the basis of there being no standard. In this case, the technical code should be withdrawn.

Proposal 1: RID/ADR 6.2.5

5. Germany proposes to add the following new paragraph after the second paragraph of RID/ADR 6.2.5:

“As soon as a standard newly referenced in 6.2.2 or 6.2.4 can be applied, the competent authority shall withdraw its recognition of the technical code.”

6. It is also proposed to amend the first sentence in the third paragraph of RID/ADR 6.2.5 as follows (the amendment is underlined):

“The competent authority shall transmit to the secretariat of OTIF/UNECE a list of the technical codes that it recognises and shall update the list if it changes.”

Proposal 2: RID/ADR 6.8.2.7 and 6.8.3.7

7. Germany also proposed equivalent amendments to RID/ADR 6.8.2.7 and 6.8.3.7:

After the first paragraph of RID/ADR 6.8.2.7 and 6.8.3.7, insert the following new paragraph:

“As soon as a standard newly referenced in (6.8.2.7:) 6.8.2.6/(6.8.3.7:) 6.8.3.6 can be applied, the competent authority shall withdraw its recognition of the technical code.”

8. It is also proposed to amend the first sentence in the second paragraph of RID/ADR 6.8.2.7 and 6.8.3.7 as follows (the amendment is underlined):

“The competent authority shall transmit to the secretariat of OTIF/UNECE a list of the technical codes that it recognises and shall update the list if it changes.”

Justification: Clarification of the legal situation.
