

Informal document No. 12
(50th GRRF, 10-12 September 2001,
agenda item 1.1.)

Distr.
GENERAL

TRANS/WP.29/GRRF/2001/INF...
5 September 2001

ORIGINAL: ENGLISH

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

World Forum for Harmonization of Vehicle Regulations (WP.29)

Working Party on Brakes and Running Gear (GRRF)
(Fiftieth session, 10 - 12 September 2001,
agenda item 1.7.)

VEHICLES INTENDED FOR THE CARRIAGE OF DANGEROUS GOODS
(Regulation No. 13 and Regulation No. 105)

Submitted by the WP.15 Secretariat

1. The 1958 Agreement Administrative Committee has adopted, at its last session, amendments to Regulation No. 13 and Regulation No. 105 on the basis of texts elaborated by GRRF and GRSG. Some amendments are based on the work of WP.15, but others, concerning in particular anti-lock braking systems and endurance braking systems, have been developed by GRRF without consultation of WP.15 as to their effect on ADR.
2. When considering the consequences on ADR, the WP.15 secretariat has noted some problems, as explained hereunder.
3. It is recalled that Regulation No. 105 and Annex 5 of Regulation No. 13 had been originally developed in order to facilitate type-approval of vehicles meeting the construction requirements of ADR, on the understanding that the requirements introduced in Regulation No. 13 and Regulation No. 105 would match the corresponding requirements of ADR. According to ADR, correspondence between the requirements of Regulations No. 13 and No. 105 and those of ADR is a condition for type-approvals granted according to Regulation No. 105 being accepted as ensuring the conformity of the base vehicle with ADR when the approval of the complete or completed vehicle is obtained (ADR, paragraph 9.1.2.2.1). With draft 02 series of amendments to Regulation No. 105 and draft supplement 6 to the 09 series of amendments to Regulation No. 13, it does not seem that this condition would be met any longer. Introducing in Regulations Nos. 13 and 105 requirements differing from those of ADR may lead progressively to a certain confusion as to whether a vehicle type-approved according to Regulation No. 105 does effectively meet or not the requirements of ADR at the time of ADR approval, including first approval. More cooperation between GRRF, WP.29 and WP.15 is essential to avoid duplication of rules and future problems of intervention.
4. Therefore the secretariat proposes that GRRF, WP.15, and WP.29 take action to remedy this unfortunate situation.

Problem No. 1

5. Reference is made to Annex 5 of Regulation No. 13 (Additional provisions applicable to certain vehicles as specified in ADR) as laid down in TRANS/WP.29/793.

Paragraph 2.3.1.1 to 2.3.1.5: It should be recalled that ADR contains paragraph 9.2.3.3.2 (f) which could read as follows if transposed into Annex 5 of Regulation No. 13:

"2.3.1.6 If the power-driven vehicle does not fulfil the performance requirements for the endurance braking system as defined in 2.3.1.5 above, it should at least fulfill the requirements of paragraph 1.8.2 of Annex 4 to this Regulation, and shall be restricted to being coupled only to a trailer fitted with an endurance braking system. Such a motor vehicle shall be fitted with a control device for the endurance braking system on the trailer."

6. This paragraph has been voluntarily omitted from Annex 5 of Regulation No. 13 by the 1958 Agreement Administrative Committee upon the advice of GRRF, and it does not seem possible to implement it at the time of type-approval. This does not affect safety, since power-driven vehicles meeting the requirements of Annex 5 would anyway comply with ADR. On the other hand, it has also to be underlined that, notwithstanding the 1958 Agreement, ADR

competent authorities may legally continue to deliver ADR certificates of approval to power-driven vehicles, including new vehicles, that do not meet the full requirements of Annex 5 of Regulation No. 13 when they meet the requirements of paragraph 9.2.3.3.2 (f) of ADR. The secretariat is of the view that consistency between the 1958 Agreement and ADR should be maintained, and that either ADR should be amended to reflect Regulation No. 13 or this ADR exception should be reflected in Regulation No. 13 as long as it remains in ADR.

Problem No. 2

7. Paragraph 2.3.2 of Annex 5 of Regulation No. 13 reads as follows:

"If a trailer is equipped with an endurance braking system it shall fulfil the requirements of paragraphs 2.3.1.1 to 2.3.1.4 above as appropriate."

This wording does not correspond to ADR which requires that the endurance braking system of trailers fulfill the requirements of the type-IIA test.

The wording is consistent with the decision of WP.29 that the endurance braking system of the power-driven vehicle must fulfil the requirements of 2.3.1.5, but it does not take into account the fact that ADR allows trailers being towed by power-driven vehicles which do not meet the requirements of 2.3.1.5, as explained in paragraphs 5 and 6 above. (According to the previous Annex 5 of Regulation No. 13, the vehicle was not supposed to be tested to the total laden mass of the combination). This causes a safety problem for trailers approved according to Regulation No. 13 which would be towed by power-driven vehicles meeting the conditions of 9.2.3.3.2 (f) of ADR.

Proposals

8. In order to solve these inconsistencies, the WP.15 secretariat would like to invite GRRF to discuss whether the following amendments to ADR would solve the problem:

ADR 9.2.3.3.2 (f): Amend to read:

"For motor vehicles registered before [1 January 2003][1 July 2003], if the motor vehicle does not fulfill the performance requirements for the endurance braking system as defined in (e) above, it shall at least fulfill the requirements of Annex 5 of Regulation No. 13 as applicable before the entry into force of Supplement 3 of the 09 series of amendments of Regulation No. 13 (27 April 1998) or of section 1.8.2 of Annex 4 of ECE Regulation No. 13 and shall be restricted to being coupled only to a trailer fitted with an endurance braking system. Such a motor vehicle shall be fitted with a control device for the endurance braking system on the trailer."

9.2.3.3.3: Amend to read as follows:

"If a trailer is equipped with an endurance braking system it shall fulfill the provisions of 9.2.3.3.2 (a) to (d) above. If such a trailer is to be coupled with a motor vehicle meeting the conditions of 9.2.3.3.2 (f), the endurance braking system of the trailer shall meet the requirements of section 1.8.2 of Annex 4 of Regulation No. 13."

9. The secretariat suggests that GRRF should provide WP.15 with some explanations or comments on this issue.

10. The following amendment to paragraph 2.3.2 of Annex 5 of Regulation No. 13 is also suggested:

Add the following sentence:

"If the trailer is intended to be towed by a power-driven vehicle which does not fully meet the requirements of paragraph 2.3.1.5 of this Regulation as allowed by paragraph 9.2.3.3.2 (f) of Annex B of ADR, the endurance braking system of the trailer shall fulfill, in addition, the requirements of section 1.8.2 of Annex 4 of this Regulation."

11. If WP.15 could not agree with these changes, the secretariat invites GRRF to consider whether the following changes could be made to Annex 5 of Regulation No. 13 pending further discussion and clarification:

Add the following paragraph 2.3.1.6:

"2.3.1.6 If the power-driven vehicle does not fulfill the performance requirements for the endurance braking system of paragraph 2.3.1.5, it shall at least fulfil the requirements of section 1.8.2 of Annex 4 of this Regulation and it shall be fitted with a control device for the endurance braking system on the trailer.

NOTE: Such vehicles shall be restricted to being coupled only to a trailer fitted with an endurance braking system."

Amend 2.3.2 to read:

"If a trailer is equipped with an endurance braking system it shall fulfil the requirements of paragraph 2.3.1.1 to 2.3.1.4 above as appropriate **and those of section 1.8.2 of Annex 4 of this Regulation.**"

Problem No. 3

12. In the original version of Regulation No. 105, a difference was made between the braking system of vehicles designated EX/II (paragraph 5.1.3.2) which are subject to the requirements of Regulation No. 13 except those of Annex 5, and those designated EX/III, FL, AT and OX (paragraph 5.1.3.1) which are subject to all requirements of Regulation No. 13 as appropriate.

13. Paragraphs 5.1.3.1 and 5.1.3.2 have been replaced by a single reference to Regulation No. 13 in the draft series 02 of amendments to Regulation No. 105 (paragraph 5.1.3 in document TRANS/WP.29/789). Unfortunately, the difference has not been reflected in Regulation No. 13, and this implies that according to regulation No. 13 vehicles designated EX/II should be subject to the anti-lock braking system requirements and to the endurance braking system requirements, which is not required by ADR. Furthermore, Regulation No. 13 still contains references to old marginals of ADR. Therefore, it is suggested that the wording of several paragraphs in Regulation No. 13 be revised to reflect more precisely the scope of the ADR requirements, as follows:

Annex 4, paragraph 1.8.1.3:

Replace "vehicles subject to marginal 10221 of Annex B of ADR (see Annex 5)"

with "vehicles designated EX/III, FL, OX or AT according to paragraph 9.1.1.2 of Annex B of ADR (see also Annex 5)"

Annex 5, paragraph 2.1, replaces the last sentence with:

"In addition, the following technical provisions shall apply to vehicles designated EX/III, FL, OX or AT according to paragraph 9.1.1.2 of Annex B of ADR."

Miscellaneous problems of consistency

Regulation No. 13

14. Paragraph 4.5 of Regulation No. 13 does not seem to have been amended to reflect the 09 series of amendments. It reads as follows:

"However, if a vehicle of categories M2 or M3 has been approved pursuant to the provisions of Annex 5 to this Regulation, the number of the Regulation shall be followed by the letter M"

15. The reference to Annex 5 should be replaced by a reference to section 1.8.2 of Annex 4.

16. The secretariat suggests also to replace "categories M2 or M3" with "categories M2, M3, N or 04" since it is important, at least for trailers, to know whether or not the endurance braking system fulfills the requirements of the type-IIA test.

Regulation No. 105

17. The secretariat proposes to amend paragraph 5.1.3 (TRANS/WP.29/789) to read as follows:

Replace "including those of Annex 5," by "in accordance with Annex 5,"

18. GRRF may also wish to note that the last sentence of 5.1.4 of Regulation No. 105 (set limitation speed V of 85 km/h) should be amended to read "The device shall be set in such a way that the speed cannot exceed 90 km/h bearing in mind the technological tolerance of the device" (See decision of WP.15 at its seventeenth session (7-11 May 2001)) (TRANS/WP.15/165, paragraph 53 and Annex 3).
