

INF.31

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

**Joint Meeting of the RID Safety Committee and the
Working Party on the Transport of Dangerous Goods
(Geneva, 13-23 September 2005)**

**Comments on document TRANS/WP.15/AC.1/2005/38 (Sub-section 1.1.3.1 (d):
Carriage undertaken by the Emergency Services), transmitted by the
Government of Austria**

Transmitted by the Government of the United Kingdom

The United Kingdom opposes the revised Austrian proposal in 2005/38 on carriage undertaken by the emergency services as it still seeks to exempt all emergency vehicles from following RID/ADR/ADN when working in response to an emergency.

The United Kingdom Competent Authority applies the provisions of RID/ADR to core emergency services at all times, whether taking part in response to an emergency or not. It exempts breakdown vehicles only under 1.1.3.1 (d) when they are dealing with an emergency involving dangerous goods. In no case does the UK Competent Authority exempt emergency service vehicles in respect of any dangerous goods they are routinely carrying on the vehicle e.g. gas cylinders used for metal-cutting equipment or oxygen cylinders, which would have to meet the provisions of RID/ADR. This reflects our current interpretation of 1.1.3.1 (d) and (e).

The United Kingdom does not think it is acceptable to put employees of the emergency services at risk by exempting the emergency services from RID/ADR, as they are entitled to the same level of protection as all other employees. The emergency service managers are expected to take account of the greater risks through risk assessment and risk management. This is why they have high levels of training and protective equipment. There are no grounds therefore, to routinely exempt emergency services attending an emergency.

The Austrian proposal implies that dangerous goods routinely carried by the emergency vehicles would be exempt from the provisions of RID/ADR whilst in an emergency situation but would be subject to the provisions of RID/ADR when carried as part of routine activities. It would be difficult for emergency service staff to know when they have to comply with RID/ADR and what is exempt, which in the view of the United Kingdom would be an unnecessary added difficulty for the emergency services.

The United Kingdom supports an exemption for dangerous goods involved in an emergency ie those goods carried by a vehicle which has an accident or breaks down and then has to be accessed and/or removed by the emergency services.

However, we cannot accept an exemption for dangerous goods carried routinely as part of their equipment by the emergency services.

Austria also proposes the inclusion of a new definition in Chapter 1.2 for emergency services. The term “emergency services” appears in several places in RID/ADR, including in 1.1.3.3, 1.4.1.2 and 1.8.5.3. The definition proposed by Austria is too wide and would not be appropriate for all incidences where it is mentioned in RID/ADR. Therefore the United Kingdom does not support the inclusion of the Austrian definition and doubts the value of adding any definition of emergency services.

Proposals

The United Kingdom suggests the following alternative wording for 1.1.3.1 (d):

1.1.3.1(d)

RID/ ADN

the carriage undertaken by, or under the supervision of, the emergency services to contain, recover and move the dangerous goods involved in the incident to a safe place.

ADR

the carriage undertaken by, or under the supervision of, the emergency services to contain, recover and move the dangerous goods involved in the incident to a safe place., in particular by breakdown vehicles carrying vehicles which have been involved in accidents or have broken down and contain dangerous goods;
