

**Committee of Experts on the Transport of Dangerous Goods
and on the Globally Harmonized System of Classification
and Labelling of Chemicals**

4 December 2020

**Sub-Committee of Experts on the Transport of Dangerous Goods
Fifty-seventh session**

Geneva, 30 November-8 December 2020

Item 10 of the provisional agenda

New proposals

**Comments on ST/SG/AC.10/C.3/2020/74 on the use of
footnotes in the Model Regulations**

Transmitted by the expert from China

Introduction

1. We thank IMO for bringing us the document. We agree with the general principle of this document that regulatory requirements should be incorporated in the text.
2. However, as the comments we submitted on the workspace, we do not support Proposal 2 about the footnote concerning the “Distinguishing sign of the State of registration used on motor vehicles and trailers in international road traffic, e.g. in accordance with the Geneva Convention on Road Traffic of 1949 or the Vienna Convention on Road Traffic of 1968”.
3. In the current footnote, the two conventions are only recommendatory examples, but in the proposed new text, we find them become the only legal sources of ‘distinguishing sign used on vehicles in international road traffic’ mentioned in the Model Regulations.
4. Some countries, including People's Republic of China, are not contracting countries of the two Conventions and may not currently use distinguishing sign in accordance with the two Conventions. Once the proposed new definition is adopted, it may cause difficulties to the international transport of goods from these countries.
5. We take China as an example. The Chinese distinguishing sign, RC, assigned in the Geneva Convention on Road Traffic of 1949 is not admitted by People’s Republic of China. The normally used distinguishing sign of People’s Republic of China is "CN". And, we believe, most experts in the Sub-Committee should be familiar with this. But CN is actually not from any one of these two Conventions, but from international standards, such as ISO 3166-1 COUNTRY CODES (see <https://www.iso.org/iso-3166-country-codes.html> and <https://www.iso.org/obp/ui/#search>). The adoption of Proposal 2 would mean that we cannot use CN as Chinese distinguishing sign any more, which is unreasonable.
6. When we go back to see the current footnote, since the two conventions are only examples, the using of CN is absolutely permitted.
7. Apparently, the proposed definition does not maintain the same meaning as the current footnote. It will be a huge change to China, as well as other countries who are not contracting countries of the two Conventions.
8. There is no reason to force those non-contracting countries to use their distinguishing signs in accordance with the two conventions, since they have already had another worldwide recognized one. Although, we believe, IMO is not intended to do so, Proposal 2 has actually changed the current meaning of the Model Regulations. And considering the consequences it may cause, we cannot support Proposal 2 as it is now.

-
9. To summarize, we do not oppose the intention to incorporate footnotes in the text. But, in some special cases, footnotes should still be retained.

Proposal

10. The experts from China propose to retain the two referenced conventions in footnote and introduce ISO 3166 standard to make the relevant content more reasonable.

11. So, we propose to amend Proposal 2 after “create a new definition for...to read as follows:” in ST/SG/AC.10/C.3/2020/74 to make it read as follow:

~~“Distinguishing sign used on vehicles in international road traffic means a sign in accordance with the Geneva Convention on Road Traffic of 1949 or the Vienna Convention on Road Traffic of 1968.”~~

“Distinguishing sign used on vehicles in international road traffic means a distinguishing sign of the state of registration used on motor vehicles and trailers in international road traffic¹”

1: e.g. in accordance with the Geneva Convention on Road Traffic of 1949 or the Vienna Convention on Road Traffic of 1968 or ISO 3166-1 : 2020
