

Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Dangerous Goods

108th session

9 November 2020

Geneva, 10–13 November 2020

Item 5 (b) of the provisional agenda

**Proposals for amendments to annexes A and B of ADR;
miscellaneous proposals**

Comments on 2020/12 from Germany – Clarification of the application of the tunnel restriction code for carriage of empty packagings, uncleaned, in accordance with section 5.4.1.1.6.2.1 (a) and (b) of ADR

Transmitted by the Government of Sweden

Introduction

Sweden supports the view presented in Germany's document 2020/12. However, we believe that this matter should be considered a bit further before a decision is taken.

When empty, uncleaned packagings are carried and the transport document fulfils sub-section 5.4.1.1.6.2.1, neither the UN-number nor the packing group (when applicable) are indicated in the transport document. Thus, it is not possible for the driver or enforcement bodies to check if the restriction code for tunnels is correct. This supports the idea of not requiring the restriction code for tunnels to be indicated in the transport document. Furthermore, it could be argued that many substances, when carried as empty, uncleaned packagings, may be carried in accordance with 1.1.3.6 as transport category 4, unlimited. In such cases the provisions concerning tunnel restrictions need not be applied.

However, there are also substances (in empty uncleaned packagings) assigned to transport category 0 and, thus, not permitted for carriage in accordance with 1.1.3.6. Subsequently, these must be carried as a "regular ADR-transport" which means that the transport unit should be displayed with orange coloured plates. If the tunnel restrictions would not be applicable for these goods when 5.4.1.1.6.2.1 is used, this would allow for transport units displayed with orange coloured plates to go through restricted tunnels. If we are not mistaken, this is only allowed for goods for which "(-)" is marked in Column (15) of Table A. For this reason, it seems that this matter should be considered in relation to the provisions in sub-section 1.9.5.3.6.

Even though we sympathise with the proposal submitted by Germany, we believe that this should be looked at from a broader perspective.
