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Economic Commission for Europe**Inland Transport Committee****Working Party on the Transport of Dangerous Goods****Joint Meeting of the RID Committee of Experts and the
Working Party on the Transport of Dangerous Goods**

Bern, 16–20 March 2020

Item 5 (b) of the provisional agenda

**Proposals for amendments to RID/ADR/ADN:
new proposals****Discrepancy between the scope of application of special
provision 666 and that of special provision 669**

Transmitted by the Government of Switzerland*, **

Summary

Executive summary:	The aim of this proposal is to clarify special provision 666 in order to ensure that the exemptions apply identically to equipment on a trailer and equipment on a towing vehicle.
Action to be taken:	Amend special provision 666

Introduction

1. We have noted the following inconsistency in the regulations: permanently installed equipment, such as compressors, conveyor belts, cranes, etc., is treated differently depending on whether it is on a towing vehicle or on a trailer. If it is installed on a towing vehicle that is carried as a load, two provisions might apply, namely special provision 666 and special provision 363. If the equipment is installed on a trailer that is itself carried as a load, special provision 669 applies, but only when the equipment is intended for use during carriage.

2. Special provision 669 applies to a “trailer fitted with equipment, powered by a liquid or gaseous fuel or an electric energy storage and production system, that is intended for use during carriage”. Special provision 666 applies to “vehicles and battery powered equipment, referred to by special provision 388, when carried as a load, as well as any dangerous goods

* Subprogramme 2 of the programme budget for 2020 (A/74/6 (Sect. 20) and supplementary information).

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they contain that are necessary for their operation or the operation of their equipment”. If installed on a trailer, the same equipment is not exempt unless it is intended for use during carriage, but the “during carriage” restriction is not part of the application of the exemption set out in special provision 666. Consequently, special provision 666 overlaps with special provision 363, which is also intended to cover equipment not intended for use during carriage and containing liquid fuels.

3. Special provision 669 was introduced after special provision 666, as it had been noted towards the end of the discussions that the definition of the term “vehicle” in special provision 388 did not encompass trailers. Special provision 669 was worded by analogy with the exemptions set out in 1.1.3.2 (a) and 1.1.3.3 (a), in which reference is made to equipment “used or intended for use during carriage”. This wording makes it possible to distinguish between equipment that is exempt under special provision 363 and that is never used during carriage (e.g. emergency heating appliances for buildings, compressors, etc.) and equipment intended for use during carriage (e.g. refrigerators, standby heaters for the sheet of the vehicle, etc.). As there is no such nuance in special provision 666, an unnecessary distinction remains between equipment installed on the carrying vehicle and equipment installed on the trailer.

4. As currently worded, special provision 666 redundantly exempts equipment already covered by special provision 363 that is not intended for use during carriage. Special provision 669 remedies this defect.

5. In order to avoid this overlap between special provisions 666 and 363 and eliminate the discrepancy between the scope of application of special provision 666 and that of special provision 669, as well as the inconsistent treatment of the same equipment depending on whether it is on the towing vehicle or on the trailer, we propose to align the wording of special provision 666 with that of special provision 669 by amending the first sentence of special provision 666 as follows.

Proposal

6. Amend the first sentence of special provision 666 as follows (added text underlined in bold):

“Vehicles and battery powered equipment, referred to by special provision 388, when carried as a load, as well as any dangerous goods they contain that are necessary for their operation or the operation of their equipment, **and when intended for use during carriage, ...**”

Justification

7. This addition ensures that the exemptions apply identically to equipment on a trailer and equipment on a towing vehicle. It also serves to clarify the scope of application of special provision 666 in relation to that of special provision 333. Special provision 666 applies only to equipment intended for use during carriage. Special provision 333 applies only to equipment not used during carriage.
