

**Economic and Social Council**

Distr.: General
8 June 2020
English
Original: French

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, 10–11 September 2020 and Geneva, 14–18 September 2020

Item 5 (b) of the provisional agenda

Proposals for amendments to RID/ADR/ADN:**New proposals****Special provision 363**

Transmitted by the Government of Switzerland*, **

Summary

Executive summary:	Make it possible to maintain marking for engines and machinery with a capacity exceeding 450 litres but containing liquid fuel not exceeding 60 litres.
Action to be taken:	Amend Chapter 3.3, special provision 363, letter (j).
Related documents:	ST/SG/AC.10/C.3/2019/29, ST/SG/AC.10/C.3/110, para. 42

Introduction

1. At its fifty-fifth session, the Sub-Committee of Experts on the Transport of Dangerous Goods discussed the application of special provision 363 (j), on the basis of document ST/SG/AC.10/C.3/2019/29, transmitted by Switzerland. Most experts agreed that letter (j), as drafted, did not preclude the labelling or placarding of engines and machinery containing less than 60 litres of liquid fuel. The Sub-Committee preferred not to amend the Model Regulations and recommended finding a solution at the regional level (ST/SG/AC.10/C.3/110 para. 42). Switzerland hereby submits its proposal for consideration by the Joint Meeting.

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

** Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2020/56.



2. Users of the exemption under special provision 363 have reported problems in the application of letter (j). For more than 60 litres of fuel, the special provision requires labelling when the capacity is more than 450 litres but not more than 3,000 litres and placarding to indicate the substances contained on engines and machinery under UN No. 3528 and UN No. 3530 when the capacity is more than 3,000 litres.

3. The problem faced by users stems from the fact that they do not know what they are supposed to do once, after use, the engines or machinery contain less than 60 litres of fuel. The introductory paragraph of special provision 363 specifies that the entry may be used only when the conditions for special provision 363 are met and adds that no other requirements of RID/ADR/ADN are applicable. Unlike 5.3.1.6.1 of RID/ADR on the placarding of tanks, which requires placarding to be maintained on uncleaned empty tanks, special provision 363 does not provide for placards to be displayed when the content is less than 60 litres. This would oblige the users to remove the placards for the return journey, once the machinery has been used, when the tank contains less than 60 litres. Such a procedure is clearly impractical.

4. To avoid having to change the markings as the tanks are filled and emptied over time, it is necessary to introduce in special provision 363 the possibility of maintaining the marking, even when the contents fall under 60 litres. This should be done without making the marking mandatory for volumes under 60 litres.

Proposal

5. Amend the text of Chapter 3.3, special provision 363, letter (j), as follows (new text **underlined in bold**):

“(j) For UN No. 3528 and UN No. 3530:

Where the engine or machinery contains more than 60 l of liquid fuel and has a capacity of more than 450 l but not more than 3 000 l, it shall be labelled on two opposite sides in accordance with 5.2.2.

Where the engine or machinery contains more than 60 l of liquid fuel and has a capacity of more than 3 000 l, it shall be placarded on two opposite sides. Placards shall correspond to the labels required in Column (5) of Table A of Chapter 3.2 and shall conform to the specifications given in 5.3.1.7. Placards shall be displayed on a background of contrasting colour, or shall have either a dotted or solid outer boundary line.

On engines and machinery with a capacity of more than 450 l but containing 60 l of liquid fuel or less, labelling and placarding compliant with the above requirements shall be permitted.”