

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

9 September 2022

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Item 5 (b) of the provisional agenda

**Proposals for amendments to RID/ADR/ADN:
new proposals**

Comments on document ECE/TRANS/WP.15/AC.1/2022/27 from COSTHA

Transmitted by the Government of France

Introduction

1. France would like to thank COSTHA for the proposal concerning the introduction of new provisions in relation with grocery delivery services.
2. France is of the opinion that the documents are dealing with a real issue and that adapting the regulatory provisions governing this sector of activity would help.
3. However, in our view there are still some problems with the proposals as drafted by COSTHA. To facilitate the discussion in the meeting France would like to propose some amended text to better specify the types of packaging covered by the provisions and, also to guarantee the safety of transport operations by avoiding large quantities of goods. More precisely the main issues are as follows:
 - (a) The use that will be made of the goods transported by the individuals once it is delivered does not have necessarily to be taken into account. It is therefore proposed to delete the notion of “leisure or sporting activities”. In addition, the wording of “endangering public safety” which is subjective can be removed given that any leakage of dangerous goods is prohibited in the regulations.
 - (b) The authorized packagings under this exemption should be better specified as they are a major safety element. They could be:
 - Inner packagings from packages that comply with Chapter 3.4, or
 - Inner packagings of combination packagings in accordance with Chapter 4.1, or
 - Simple packagings in accordance with the provisions of Chapter 6.1 (the latter can be purchased in large do-it-yourself surfaces, for example).
 - (c) To align with the types of packaging available in stores and with packaging from limited quantities, it is proposed to limit quantities to 5 liters or 5 kg per packaging. This arrangement is also important in the context of the handling of heavy packages which are difficult to load from a vehicle by the driver.
 - (d) For safety reasons Class 2 materials, apart from aerosols (UN 1950) and gas cartridges (UN 2037) should not come under this exemption. It is therefore advisable to delete the paragraphs relating to Class 2.
 - (e) Finally, it is proposed to limit the quantities of transportable dangerous goods to 150 kg or 150 litres.

Proposal

4. Introduce new exemption in 1.1.3.1 and modify the wording proposed in document ECE/TRANS/WP.15/AC.1/2022/27 as follows (new text in **bold underlined**, deleted text in ~~strikethrough text~~):

“1.1.3.1 Exemption related to the nature of the transport operation

The provisions laid down in ADR do not apply to:

- (a) The carriage of dangerous goods by private individuals where the goods in question are packaged for retail sale and are intended for their personal use or domestic use or for their leisure or sporting activities provided that measures have been taken to prevent any leakage of contents in normal conditions of carriage. When these goods are flammable liquids carried in refillable receptacles filled by, or for, a private individual, the total quantity shall not exceed 60 litres per receptacle and 240 litres per transport unit. Dangerous goods in IBCs, large packagings or tanks are not considered to be packaged for retail sale.

...

- (g) The carriage of dangerous goods by or on behalf of a distribution centre or a retailer to or from an end-user, where the goods in question are packaged for retail sale and are intended for the personal or domestic use of the end-user ~~or for their leisure or sporting activities~~, if:

- Measures have been taken to prevent any leakage of contents ~~that could endanger public safety~~ in normal conditions of carriage;

- The goods ~~were originally~~ **are** packed:

- i. **in inner packagings derived from packages conforming with provisions on** limited quantities in accordance with Chapter 3.4; **or**
- ii. in **inner packagings derived from** combination packagings ~~in accordance with~~ **conforming to Chapter 4.1 provisions**, or
- iii. **in single packagings conforming to Chapter 6.1 provisions, or**
- iv. in accordance with special provision 188 (**in the case of carriage of lithium batteries**).

~~— The goods have been removed from their outer packaging for the final stages of carriage; and~~

- The maximum quantity of dangerous contained in each packaging doesn't exceed 5 kilograms or litres ~~Each “inner” packaging does not exceed 30 kilograms or litres.~~

~~In the case of dangerous goods included in Class 2 Gases, they are in one or more packaging in compliance with the requirements for transporting gases in Part 5 (Means of Containment), except that, in the case of dangerous goods that are UN 1950, AEROSOLS, or UN 2037, GAS CARTRIDGES, the requirement that aerosol containers and gas cartridges be tightly packed in a strong outer packaging does not apply, or~~

- The ~~gross mass~~ (total quantity) of all dangerous goods carried ~~on the road vehicle~~ **in the transport unit** is less than or equal to 150 kg (does not exceed ~~333~~ **150** kilograms or litres).; ~~and~~

~~— The goods have not been assigned to Classes 1, 4.2, 6.2 or 7.”~~

This exemption does not apply to dangerous goods from class 1, 2 (with the exception of UN Nos. 1950 and 2037), 4.2, 6.2 and 7.