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Item 5 (a) of the provisional agenda

Proposals for amendments to annexes A and B of ADR:

Construction and approval of vehicles

Section 9.1.3 – Certificate of Approval

Transmitted by the Government of the United Kingdom*

Summary

- Executive summary:** Proposals to amend ADR 9.1.3 to allow Certificates of Approval to be issued in an electronic format as an alternative to the current requirement for paper certificates to be issued.
- Action to be taken:** Amend ADR 9.1.3.
- Related documents:** Informal document INF.22 from May 2023 session of the Working Party.
ECE/TRANS/WP.15/262 – Report of May 2023 session.

* A/77/6 (Sect. 20), table 20.6.



Background

1. The United Kingdom submitted informal document INF.22 to the 113th session of the Working Party (May 2023) which sought an exchange of views on whether the Certificates of Approval issued under 9.1.3, should be permitted in an electronic format as an alternative to paper documentation.

2. In respect to informal document INF.22, the report of the May 2023 session includes the following:

“Most of the delegations that spoke were of the opinion that the ADR in force on 1 January 2023 only allowed for paper versions of the certificate of approval. Some delegations indicated that the approval bodies in their countries could already issue certificates in electronic form, but that a printed version in accordance with the format in 9.1.3 had to be carried on board the vehicle.

The delegations that spoke were in favour of introducing provisions to allow for the dematerialization of certificates of approval. These provisions should include arrangements for access to and authentication of such certificates and appropriate security arrangements for the storage and processing of electronic data.”

3. The Working Party invited the United Kingdom to continue work on this topic. The United Kingdom has now developed proposals to amend ADR 9.1.3 in a way that would allow either paper or electronic certificates to be issued.

4. At the May 23 session it was agreed that ADR currently only allows paper copies of the Certificate of Approval, which must be of A4 size, white with a pink diagonal stripe, and which must be returned to the issuing service if the vehicle is taken out of service. It is difficult to see how an electronic document could be returned and the benefits of adding a pink stripe would seem to be minimal. The following proposals therefore seek to address these points.

Justification

5. We consider the issue of electronic documents to provide benefits regarding cost, environmental impact, and fraud prevention. Electronic documents would reduce costs / environmental impact by removing the need to always print. An electronic system would, nevertheless, allow an operator / vehicle owner to print a paper version if required.

6. If either a paper or electronic certificate is checked by enforcement bodies, it is possible for these to be verified by independently checking a database of the Competent Authority. We understand several contracting parties are looking to use of this type of system which would provide a more robust means of verifying either paper or electronic certificates.

7. Currently the addition of a pink stripe has a cost and environmental impact when printing the certificate, the proposal therefore includes changes to allow certificates without the pink stripe. No stripe would allow black and white only certificates and therefore a cost saving.

8. These amendments would be consistent with technological progress in other areas of ADR, which have been amended to allow electronic versions of certain documents (such as 5.4). These changes have been welcomed by industry and successful in terms of practical use. Therefore, the proposal here is to follow a very similar text to 5.4 to ensure consistency within ADR.

Proposals

9. Amend ADR 9.1.3 as follows (deleted text struck through and new text in **bold**):

“9.1.3 Certificate of approval

9.1.3.0 The certificate may be issued in paper or electronic form. If issued in an electronic format the procedures used for the capture, storage and processing of digital data shall meet the legal requirements as regards the evidential value. If a paper or electronic certificate is issued it shall be in the form set out in 9.1.3.5 – Model for certificate of approval for vehicles carrying certain dangerous goods.

When the Certificate of Approval is issued in an electronic format, it may be digitally produced for inspection / enforcement purposes, provided the validity of the produced certificate can independently verified. The issuing authority shall also provide a means for the operator of the vehicle to print a paper version of the certificate in the sequence required by this Chapter.

9.1.3.1 Conformity of EX/II, EX/III, FL and AT vehicles and MEMUs with the requirements of this Part is subject to a certificate of approval (certificate of ADR approval) issued by the competent authority of the country of registration for each vehicle whose inspection yields satisfactory results or has resulted in the issue of a declaration of conformity with the requirements of Chapter 9.2 in accordance with 9.1.2.1.

9.1.3.2 A certificate of approval issued by the competent authority of one Contracting Party for a vehicle registered in the territory of that Contracting Party shall be accepted, so long as its validity continues, by the competent authorities of the other Contracting Parties.

9.1.3.3 The certificate of approval shall have the same layout as the model shown in 9.1.3.5. Its dimensions shall be 210 mm × 297 mm (format A4). Both front and back may be used. The colour shall be white, ~~with a pink diagonal stripe~~ **with black text**.

It shall be drawn up in the language or one of the languages of the country issuing it. If that language is not English, French or German, the title of the certificate of approval and any remarks under No. 11 shall also be drawn up in English, French or German.

The certificate of approval for a vacuum-operated waste tank-vehicle shall bear the following remark: "vacuum-operated waste tank-vehicle".

The certificate for FL or EX/III vehicles in compliance with the requirements of 9.7.9 shall bear the following remark under No. 11: "Vehicle in compliance with 9.7.9 of ADR".

9.1.3.4 The validity of a certificate of approval shall expire not later than one year after the date of the technical inspection of the vehicle preceding the issue of the certificate. The next approval term shall, however, be related to the last nominal expiry date, if the technical inspection is performed within one month before or after that date.

The vehicle shall not be used for the carriage of dangerous goods after the nominal expiry date until the vehicle has a valid certificate of approval.

However, these provisions shall not mean that tank inspections have to be carried out at intervals shorter than those laid down in Chapters 6.8, 6.10 or 6.13.

9.1.3.5 *Model for certificate of approval for vehicles carrying certain dangerous goods*

[Model unchanged]

NOTE: This certificate shall be returned to the issuing service when the vehicle is taken out of service; if the vehicle is transferred to another carrier, operator or owner, as specified in No. 5; on expiry of the validity of the certificate; and if there is a material change in one or more essential characteristics of the vehicle. In the case of a certificate issued in an electronic format the issuing service shall be notified of the changes."