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**Working Party on the Transport
of Dangerous Goods**

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Transmitted by the Government of Italy

**CHAPTER 9.1 – SCOPE, DEFINITIONS AND REQUIREMENTS FOR THE
APPROVAL OF VEHICLES**

**CHAPTER 9.2 – REQUIREMENTS CONCERNING THE CONSTRUCTION
OF VEHICLES**

Executive Summary: We have developed a new proposal as a result of the first informal WP.15 working group meeting in Turin, 6-7 September 2001, which takes into account certain comments made by delegations; all modifications adopted are indicated in an Appendix to this document.

Action to be taken: PART 1: Chapter 1.6 subsection 1.6.5.4 to be amended and a new subsection 1.6.5.5 to be added;

PART 9: Chapter 9.1 and 9.2 to be amended and rearrangement of the paragraphs.

Related documents: - Official ADR 2001 PART 1 – Chapter 1.6 – Paragraph 1.6.5, PART 9 – Chapter 9.1 and 9.2;
- Informal document INF 9 (WP 15 - 71st session): Report of the first informal
- WP.15

All modifications introduced (on ADR 2001) are shown in a different colour and bold type

PART 1

GENERAL PROVISIONS

CHAPTER 1.6

TRANSITIONAL MEASURES

1.6.5 Vehicles

1.6.5.4 Vehicles first registered (or which entered into service if registration is not mandatory) before 1 January 2005 which do not fully comply with the requirements of Chapter 9.2 but are in conformity with the provisions of Annex B Part 9 in force up to 31 December 2002 may continue to be used.

1.6.5.5 Certificates of approval conforming to the requirements of ADR in force up to 30 June 2001 may continue to be used until 31 December 2003.

PART 9

REQUIREMENTS CONCERNING THE CONSTRUCTION AND APPROVAL OF VEHICLES.

CHAPTER 9.1

SCOPE, DEFINITIONS AND REQUIREMENTS FOR THE APPROVAL OF VEHICLES

9.1.1. SCOPE AND DEFINITIONS

9.1.1.1 SCOPE

The provisions of PART 9 shall apply to vehicles in categories N and O, as defined in Annex 7 of the Consolidated Resolution on the

Construction of Vehicles (R.E.3)⁽¹⁾, intended for the transport of dangerous goods by road within the scope of this agreement.

These provisions refer to vehicles, as regards their construction, their type-approval and their [subsequent] ADR approval.

9.1.1.2 DEFINITIONS

For the purpose of Part 9:

“Vehicle” means any vehicle, whether complete, incomplete or completed, intended for the transport of dangerous goods by road:

“Complete vehicle” means any vehicle which does not need any further completion (e.g. one stage built vans, lorries, tractors, trailers);

“Incomplete vehicle” means any vehicle which still needs completion in at least one further stage (e.g. chassis-cab, trailer chassis);

“Completed vehicle” means any vehicle which is the result of a multi-stage process (e.g. chassis or chassis-cab fitted with a bodywork);

“Type-approved vehicle” means any vehicle which has been approved in accordance with the procedure whereby the competent authority of a Contracting Party to the 1958 Agreement applying Regulation No.105⁽²⁾ or, in the case of Directive 98/91/EC⁽³⁾, of a Member State of the European Union, certifies that a type of vehicle satisfies the relevant technical requirements of that Regulation or Directive.

⁽¹⁾ Document of the United Nations Economic Commission for Europe, TRANS/WP.29/78/rev. 1, as amended.

⁽²⁾ Regulation No. 105 (Uniform provisions concerning the approval of vehicles intended for the carriage of dangerous goods with regards their specific constructional features).

⁽³⁾ Directive 98/91/EC of the European Parliament and of the Council of 14 December 1998 relating to motor vehicles and their trailers intended for the transport of dangerous goods by road and amending Directive 70/156/EEC relating to the type approval of motor vehicles and their trailers (Official Journal of the European Communities No. L 011 of 16/01/1999 p. 0025 – 0036).

“ADR approval” means the procedure whereby a competent authority of a Contracting Party to the ADR certifies that a single vehicle is suitable for the transport of dangerous goods as an EX/II, EX/III, FL, OX or AT vehicle complying with all relevant technical requirements of Part 9.

“EX/II or EX/III vehicle” means a vehicle ... *UNCHANGED*

“FL vehicle” means a vehicle ... *UNCHANGED*

“OX vehicle” means a vehicle ... *UNCHANGED*

“AT vehicle” means a vehicle ... *UNCHANGED*

9.1.2 APPROVAL OF EX/II, EX/III, FL, OX AND AT VEHICLES

9.1.2.1 General

EX/II, EX/III, FL, OX and AT vehicles shall comply with the relevant requirements indicated in this Part.

Every complete or completed vehicle shall be subject to an **ADR approval during the first inspection** by the competent Authority in accordance with the administrative provisions of this Part and to the relevant technical requirements of Chapters 9.2 to 9.7.

As a result of this inspection the approval of the vehicle shall be certified in accordance with subsection 9.1.2.3.

When vehicles are required to be fitted with an endurance braking system, the manufacturer of the vehicle or his duly accredited representative shall issue a declaration of conformity with subsection 9.2.3.3. This declaration shall be presented at the first inspection

9.1.2.2 Provisions for type-approved vehicles

At the request of the vehicle manufacturer or his duly accredited representative, compliance with the relevant technical requirements of Chapter 9.2, but with the exception of 9.2.4.7.6 and 9.2.6, shall be considered to be fulfilled by a type-approval certificate for the vehicle in accordance with ECE Regulation N° 105 or Directive 98/91/EC, provided that the **technical** requirements of the said Regulation or the said

Directive correspond to those of Chapter 9.2 of this Part **and** provided that no modification to the vehicle alters its validity.

This type approval, granted by one Contracting Party, shall be accepted by the other Contracting Parties as ensuring the conformity of the vehicle when **the single vehicle is submitted for ADR approval.**

In the case of an incomplete vehicle that has been type-approved, only those additional parts, which complete the applicable requirements of Chapter 9.2, shall be subject to inspection, that is 9.2.4.2.2, 9.2.4.5 and 9.2.4.7.2, as appropriate.

9.1.2.3 Certificate of approval

- 9.1.2.3.1 Conformity of EX/II, EX/III, FL, OX and AT vehicles 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. It shall be drawn up in the language or one of the languages of the country issuing it, and also, if that language is not English, French, or German, in English, French or German, unless agreements concluded between the countries concerned in the transport operation provide otherwise.
- 9.1.2.3.2 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.
- 9.1.2.3.3 The certificate of approval shall have the same layout as the model shown in 9.1.2.3.6 below. Its dimensions shall be 210 mm x 297 mm (format A4). Both front and back shall be used. The colour shall be white, with a pink diagonal stripe. The approval certificate for a vacuum-operated waste tank-vehicle shall bear the following remark: "vacuum-operated waste tank-vehicle".
- 9.1.2.3.4 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.

However, in the case of tanks subject to compulsory periodic inspection this provision shall not mean that tightness (leakproofness) tests, hydraulic pressure tests or internal inspections of tanks have **been** carried out at intervals shorter than those laid down in Chapter 6.8 and 6.9.

9.1.2.3.5 No special certificates of approval shall be required for vehicles other than EX/II, EX/III FL, OX and AT vehicles, apart from those required by the general safety regulations normally applicable to vehicles in the country of origin.

9.1.2.3.6 Model for certificate of approval for vehicles carrying certain dangerous goods

UNCHANGED

9.1.2.4 Annual technical inspection

EX/II, EX/III, FL, OX and AT vehicles shall be subject to **an** annual technical inspection in their country of registration to make sure that they conform to the relevant **requirements** of this Part, and the general safety regulations (concerning brakes, lighting, etc.) in force in their country of registration; if these vehicles are trailers or semi-trailers coupled behind a drawing vehicle, the drawing vehicle shall be subject to technical inspection for the same purposes.

As a result of this inspection, the certificate of approval may either be extended in accordance with 9.1.2.3.4, provided that the vehicle fulfils the relevant requirements of this Part, or a new certificate may be issued.

NOTE: *For transitional provisions, see also 1.6.5.1*

CHAPTER 9.2

REQUIREMENTS CONCERNING THE CONSTRUCTION OF VEHICLES

9.2.1 EX/II, EX/III, FL, OX and AT vehicles shall comply with the requirements of this Chapter, according to the table below.

For vehicles other than of EX/II, EX/III, FL, OX and AT:

- the requirements of 9.2.3.1 (**Brakes in accordance with ECE Regulation No. 13 or Directive 71/320/EEC**) are applicable to all vehicles first registered (**or which entered into service if the registration is not mandatory**) after 30.06.1997;
- the requirements of 9.2.5 (**Speed limitation device in accordance with ECE Regulation No. 89 or Directive 92/6/EEC**) are applicable to all motor vehicles with a maximum mass exceeding 12 tonnes **first** registered (

or which entered into service if the registration is not mandatory) after 31.12.1987.

Table of the TECHNICAL SPECIFICATIONS: *UNCHANGED*

Add the word "first" and the sentence "(or which entered into service if the registration is not mandatory)" respectively before and after the word "registered" in point 9.2.5, comments column of the table of "Technical specifications".

Paragraphs 9.2.2 to 9.2.6 *UNCHANGED*

Chapters 9.3 to 9.7 *UNCHANGED*

Appendix

Explanation of document

PART 1 – Chapter 1.6 – Paragraph 1.6.5

1.6.5.4 New sentence, replaces the existing text

1.6.5.5 New subsection, former 9.1.2.1.6

PART 9 – Chapter 9.1

9.1 New title

9.1.1 New title

9.1.1.1 - 1st indent: added the words “*on the construction*” and “*within the scope of this agreement*”
- 2nd indent: new sentence (the word “*subsequent*” put into square brackets as suggested by Poland)

9.1.1.2 - New title;

- Deleted the examples of existing definition of “*Vehicle*”;

- Added new definitions: “*Complete vehicle*”, “*Incomplete vehicle*” and “*Completed vehicle*” with relevant examples;

- Added “*Type-approved vehicle*” new definition;

- Added “*ADR approval*” new definition. As suggested by Germany, we redrafted this definition to remove doubts, misunderstandings and to explain clearly the procedure whereby the competent authority certifies that a single vehicle is suitable for being used for the transport of dangerous goods;

- Deleted “*Base vehicle*” definition.

9.1.2.1 - Added a new title;

- 1st sentence: former 9.1.1.3 with modifications
- 2nd sentence: new
- 3rd sentence: new
- 4th sentence: former 9.1.2.1.1:
2nd indent: deleted the word “*technical*”

- 9.1.2.2 – Added a new title;
- 1st indent: former 9.1.2.2.1, 1st sentence with modifications
 - 2nd indent: former 9.1.2.2.1:
2nd sentence with modifications
 - 3rd indent: former 9.1.2.2.2 as modified
- 9.1.2.3 Added a new title
- 9.1.2.3.1 Former 9.1.2.1.2:
1st sentence: deleted the word “*first*” before the word
“*inspection*” and deleted the last sentence
- 9.1.2.3.2 Former 9.1.2.1.3
- 9.1.2.3.3 Former 9.1.2.1.5
- 9.1.2.3.4 Former 9.1.2.1.4: replaced the words “*to be*” with the word “*been*”
- 9.1.2.3.5 Added a new point (the former note to the title of former paragraph 9.1.2)
- 9.1.2.3.6 Added a new point covering the "Model for certificate of approval"
- 9.1.2.4 Added a new title
- 1st indent: former 9.1.2.1.1: replaced the word “*provisions*” with the word
“*requirements*”
 - 2nd indent: new sentence
 - *note 1*: former note of the former point 9.1.2.1.1

PART 9 – Chapter 9.2

- 9.2 - Title: deleted the word “*base*”
- 2nd indent: 1st sentence: added a new sentence into round brackets and specified the “*vehicle first registered*” concept;
 - 2nd sentence: added new sentence into round brackets and specified the “*vehicle first registered*” concept.

Table of Technical specifications

Add the word “*first*” before the word “*registered*” and the sentence “*or which entered into service if registration is not mandatory*” after the word “*registered*” in paragraph 9.2.5, Comments column
