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Working Party on the Transport of Dangerous Goods

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Item 6 (b) of the provisional agenda

Miscellaneous proposal

Editorial and terminological amendments on the wording used in section 1.9.5 ADR 2013 in English and French

Transmitted by the Government of Romania¹

Summary

Executive summary: Editorial and terminological amendments on the wording used in section 1.9.5 in English, in order to bring it in line with the French and Russian versions.

Action to be taken: Amend the text in 1.9.5.2.2 and 1.9.5.3.6.

Related documents: Informal document INF.42 from the ninety-fourth session of the Working Party.

Introduction

1. In the translation process of the ADR, we noticed that in some paragraphs in section 1.9.5, there are slightly different wordings in the English version, when compared with the Russian and French text.

¹ The present document is submitted in accordance with paragraph 1(c) of the terms of reference of the Working Party, as contained in document ECE/TRANS/WP.15/190/Add.1, which provides a mandate to “develop and update the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR)”.

2. In paragraph 1.9.5.2.2, in the French and Russian versions, the tunnel restriction refers to the “carriage of dangerous goods”, while in the English version reference is made to “dangerous goods” only.
3. As these editorial inaccuracies occurred, probably, in the translation process, we propose to amend the English text in order to have similar wordings.
4. Furthermore, our proposal is in line with the text under 1.11 in the Consolidated Resolution on Road Signs and Signals (R.E.2) for the description of the signs for vehicles carrying dangerous goods.
5. The proposed amendments were redrafted in order to clarify the aspects which were brought up during the debate on this subject at the previous meeting of the Working Party.

Proposal 1

6. Modify the subparagraphs under 1.9.5.2.2 of the English version of ADR, as follows (new text is bold and underlined, and stricken out text is deleted):

“1.9.5.2.2 The five tunnel categories are the following:

Tunnel category A:

No restrictions for the ~~transport~~ **carriage** of dangerous goods;

Tunnel category B:

Restriction for **the carriage of** dangerous goods which **are liable to** ~~may~~ lead to a very large explosion; (...)

Tunnel category C:

Restriction for **the carriage of** dangerous goods which **are liable to** ~~may~~ lead to a very large explosion, a large explosion or a large toxic release; (...)

Tunnel category D:

Restriction for **the carriage of** dangerous goods which **are liable to** ~~may~~ lead to a very large explosion, to a large explosion, to a large toxic release or to a large fire; (...)

Tunnel category E:

Restriction for **the carriage of** all dangerous goods other than UN Nos. 2919, 3291, 3331, 3359 and 3373 and for all dangerous goods in accordance with the provisions of Chapter 3.4 if the quantities carried exceed 8 tonnes total gross mass per transport unit.”

Proposal 2

7. The text proposed as amendment for 1.9.5.3.6 reflects the terminological variation which is present in the French text. In the first paragraph of the above mentioned section the term “unités de transport” (transport units) is used, while in the second, the word “véhicules” (vehicles) occurs. The Working Party is invited to choose between the use of the term “transport unit” or “vehicle”. We take this opportunity to remind that the term “vehicle” is defined in the agreement and the term “transport unit” is defined in 1.2.1.
8. If the Working Party will be in favor of the use of the term “transport unit” in the English text, then a consequential amendment will be made to the second paragraph in 1.9.5.3.6, in the French text, also.

9. In the English text, amend the last sentence of 1.9.5.3.6, as follows (new text is bold and underlined, and stricken out text is deleted):

“1.9.5.3.6 (...)

Tunnel restrictions shall not apply ~~when dangerous goods are carried~~ **to vehicles/ transport units carrying dangerous goods** in accordance with 1.1.3, except when ~~vehicles carrying such goods~~ **they / these vehicles/ transport units** are marked in accordance with 3.4.13 subject to 3.4.14³.”.

Consequential amendment: In the French text, amend the last sentence of 1.9.5.3.6 as follows:

“1.9.5.3.6 (...)

Les restrictions de circulation dans les tunnels ne doivent pas s'appliquer aux véhicules/**unités de transport** transportant des marchandises conformément au 1.1.3, à l'exception de ceux portant le marquage prescrit au 3.4.13 sous réserve du 3.4.14³.”.

Justification

Safety: No safety issue.

Feasibility: No problem is foreseen. No transitional period is needed.

Enforceability: No problem is foreseen.

³ or in accordance with 3.4.10 subject to 3.4.11 of ADR as applicable until 31 December 2010 if the transitional measures of 1.6.1.20 are applied.

³ ou du marquage prescrit au 3.4.10 sous réserve du 3.4.11 de l'ADR tel qu'applicable jusqu'au 31 décembre 2010 dans le cas où les mesures transitoires du 1.6.1.20 sont appliquées.