

Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Dangerous Goods

114th session

13 October 2023

Geneva, 6-10 November 2023

Item 5 (a) of the provisional agenda

Proposals for amendments to annexes A and B of ADR:

Construction and approval of vehicles

Definition of “Closed Vehicle” in 1.2.1 of ADR

Transmitted by the Government of the Netherlands

Introduction

1. Some dangerous goods require a closed vehicle to protect the load from the environment or vice versa. Full rigid bodies offer protection that cannot be given by open bodies or sheeted bodies. To complicate the matter there are vehicles with bodies with rigid roof, front and rear doors but sides made of fabric called curtain siders. Also, bodies exist with rigid front, rear doors and sides but a fabric roof.
2. The definition in ADR 2023 - “*Closed vehicle*” means a vehicle having a body capable of being closed - is not very helpful in describing if curtain siders or fabric roof bodies are included or not.
3. The Netherlands seeks confirmation by WP.15 that a vehicle with curtain sider body or “fabric roof” is a “sheeted vehicle” rather than a vehicle with a closed body.
4. If our view in paragraph 3 is supported the following modifications are proposed.

Proposal

5. Amend the definition of closed vehicle and sheeted vehicle in 1.2.1 of ADR to read (new words underlined, deleted stricken through):

“Closed vehicle” means a vehicle having a body which totally encloses the contents by permanent structures with complete and rigid surfaces. A vehicle having a body with fabric sides or top are not considered a closed vehicle ~~capable of being closed~~.

“Sheeted vehicle” means an open vehicle provided with a sheet or tarpaulin to protect the load. A vehicle with a body with fabric sides or top is considered to be a sheeted vehicle.

Justification

6. The “Recommendations on the Transport of Dangerous Goods” contain in 1.2.1 a definition of “closed cargo transport unit” that very effectively describes what is the intention of closed in the sense of a body for the transport of dangerous goods. It reads as follows:

“Closed cargo transport unit means a cargo transport unit which totally encloses the contents by permanent structures with complete and rigid surfaces. Cargo transport units with fabric sides or tops are not considered closed cargo transport units.”

7. The amendment of the definition of “closed vehicle” is based on this wording.
8. Also, the definition of “closed container” mimics the definition in the recommendations, although adding the option for an openable roof. An openable roof on a container shall be rainwater tight while this is not automatic on vehicle bodies. If it is felt that

vehicles with a rigid body with an openable rigid roof should be included in the definition of “closed vehicle” the water tightness shall be clearly indicated.

9. The aim of this document is to facilitate the clarification in ADR regarding the meaning of closed vehicle. Ensuring a more systematic approach and a better rationale in ADR helps to develop clearer legal texts and avoid different criteria among different Contracting Parties and inspection services, and thus helps to implement the United Nations Sustainable Development Goal number 16: Peace, justice and strong institutions.
