

OTIF



ORGANISATION INTERGOUVERNEMENTALE POUR
LES TRANSPORTS INTERNATIONAUX FERROVIAIRES

ZWISCHENSTAATLICHE ORGANISATION FÜR DEN
INTERNATIONALEN EISENBAHNVERKEHR

INTERGOVERNMENTAL ORGANISATION FOR INTER-
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RID: 44th Session of the Committee of Experts on the Transport of Dangerous Goods
(Zagreb, 19 – 23 November 2007)

Subject: Interpretation of the provisions of paragraph 6.8.2.5.2 in relation to adherence
to the date of the next tank-wagon test

Proposal transmitted by the Czech Republic

Introduction

Tank-wagons that have infringed the requirements of RID have been entering the Czech Republic (CZ). These infringements concern RID 6.8.2.4.2 and 6.8.2.4.3. Tank-wagons have been loaded with dangerous goods before the date of expiry of the last periodic test or inspection according to 6.8.2.4.2 and 6.8.2.4.3 and they have entered CZ on the last day before the date of expiry of the test. However, during transport in CZ the validity of the test expires. Based on the fact that the date of the last test of these tank-wagons has elapsed, the tank-wagons are rendered unsafe for the carriage of dangerous goods and are not fit for further transport in terms of paragraph 1.4.2.2.3. They are then retained in the sense of Article 20 of CIM ("Circumstances preventing carriage" → continuation of transport is not allowed if a wagon has a defect). The tank-wagons can be transported subsequently in the sense of paragraph 1.4.2.2.4 only with the authorization of the competent authority (in CZ, this is the Ministry of Transport of the Czech Republic). If the wagons are intended for a consignee with a place of business outside CZ, administrative assistance must be provided to the carrier through a competent authority for the continuation of the journey of the tank-wagon with the expired test date to the destination, or one may proceed in accordance with section 05-01 of the CIT Freight Traffic Manual (GTM-CIT).

The Czech Republic suggests that a uniform procedure be set up for COTIF Member States and railway undertakings in the territory of COTIF Member States, in order that the safety of the carriage of dangerous goods in tank-wagons is preserved, i.e. that no movement of tank-wagons with an expired date of the last test takes place in the territory of COTIF Member States. CZ requests the RID Committee of Experts to give an interpretation on how to proceed uniformly in the above

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case in the territory of COTIF Member States (a tank-wagon is loaded before the date of expiry of the last test, but it is evident at first glance that with regard to the distance to be transported (shipped), the tank-wagon cannot be delivered to the destination station before the validity date of the last test expires, only after it has expired).

Proposal 1

CZ requests that this instruction (interpretation) be recorded in the minutes of the 44th session of the RID Committee of Experts. This interpretation could perhaps be published on the OTIF website. The objective of the interpretation is to provide the COTIF Member States with an instruction, in case there is any doubt as to how to proceed in the case referred to, without having to change the wording of RID 6.8.2.4.2 and 6.8.2.4.3.

In interpreting this issue, it is possible to proceed in the same way as stipulated for portable tanks in 6.7.2.19.6:

"A portable tank may not be filled and offered for carriage after the date of expiry of the last 5 year or 2.5 year periodic inspection and test as required by 6.7.2.19.2. However, a portable tank filled prior to the date of expiry of the last periodic inspection and test may be carried for a period not to exceed three months beyond the date of expiry of the last periodic test or inspection. In addition, a portable tank may be carried after the date of expiry of the last periodic test and inspection:

- (a) After emptying but before cleaning, for purposes of performing the next required test or inspection prior to refilling; and
- (b) Unless otherwise approved by the competent authority, for a period not to exceed six months beyond the date of expiry of the last periodic test or inspection, in order to allow the return of dangerous goods for proper disposal or recycling. Reference to this exemption shall be mentioned in the transport document."

In order to complete the transport of such a wagon, the date of taking over the goods for transport should be decided in accordance with Article 7 of CIM. This is stated in the transport document.

Proposal 2

If publication of the interpretation is considered inadequate, CZ proposes to add a new paragraph to RID, the text of which would be included in the left-hand column only (for tank-wagons). The text is taken from Chapter 6.7 in order to harmonise Chapters 6.7 and 6.8.

Insert a new 6.8.2.4.4 as follows:

6.8.2.4.4 A tank-wagon may not be filled and offered for carriage after the date of expiry of the last periodic inspection and test as required by 6.8.2.4.2 and 6.8.2.4.3. However, a tank-wagon filled prior to the date of expiry of the last periodic inspection and test may be carried for a period not to exceed three months beyond the date of expiry of the last periodic test or inspection. In addition, a tank-wagon may be carried after the date of expiry of the last periodic test and inspection:

- (a) After emptying but before cleaning, for purposes of performing the next required test or inspection prior to re-

filling; and

- (b) Unless otherwise approved by the competent authority, for a period not to exceed six months beyond the date of expiry of the last periodic test or inspection, in order to allow the return of dangerous goods for proper disposal or recycling. Reference to this exemption shall be mentioned in the transport document."

Renumber the existing paragraphs 6.8.2.4.4 as 6.8.2.4.5 etc.
