

OTIF



**ORGANISATION INTERGOUVERNEMENTALE POUR
LES TRANSPORTS INTERNATIONAUX FERROVIAIRES**

**ZWISCHENSTAATLICHE ORGANISATION FÜR DEN
INTERNATIONALEN EISENBAHNVERKEHR**

**INTERGOVERNMENTAL ORGANISATION FOR INTER-
NATIONAL CARRIAGE BY RAIL**

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17 August 2009

Original: French

RID: 47th Session of the RID Committee of Experts
(Sofia, 16 - 20 November 2009)

Subject: Carriage of intentionally active equipment containing lithium batteries

Proposal transmitted by Switzerland

SUMMARY

Analytical summary: Allow carriage in accordance with special provision 188 of equipment which is intentionally active during transport and which contains lithium batteries.

Decision to be taken: Amend special provision 188 (e) by means of an RID/ADR/ADN special provision.

Reference document: ST/SG/AC.10/C.3/70

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Introduction

1. At its 35th session in June 2009, the UN Sub-Committee of Experts on the Transport of Dangerous Goods adopted an amendment to the text of special provision 188 (e) concerning the carriage of equipment that has to function intentionally during transport (see report ST/SG/AC.10/C.3/70, para. 34). The text that was adopted originates from an interpretation given in guidance on this possibility published by the International Civil Aviation Organization (ICAO) (http://www.icao.int/anb/FLS/DangerousGoods/ICAOLithiumBattery_Guidance/ICAOLithiumBatteryGuidance.pdf). The way ICAO must have read SP 188 shows that this interpretation is not obvious.
2. To avoid problems of interpretation in a transport chain including carriage by air, at its 35th session the UN Sub-Committee accepted the idea of amending paragraph (e) of special provision 188 to reflect the interpretation given in the ICAO guidance in the text of the regulations. This was based on a proposal Switzerland submitted to the 35th session in informal document INF.20. However, this amendment will only be definite when it has been adopted by the Committee of Experts in December 2010 and it will only be included in the Model Regulations annexed to the Recommendations on the Transport of Dangerous Goods in the 17th revised edition of these Recommendations, which will not be published until 2011. Bearing in mind current procedures, this means it would not appear in the RID/ADR/ADN Regulations until 2013.
3. As this is an issue that already exists, it would be useful to align the interpretation of the land transport texts with those for air transport as soon as possible. A delay of almost four years might cause difficulties for each consignment and cannot be justified now that the UN Sub-Committee has already taken its decision. The Government of Switzerland therefore proposes to introduce the amendment adopted by the UN Sub-Committee into the 2011 edition of the land transport regulations by means of a special provision specific to RID, ADR and ADN pending formalisation of the amendment to paragraph (e) of special provision 188 in the UN Model Regulations.

Proposal

4. **Chapter 3.3** Add the following new special provision:

 “655 The requirement of the first sentence of special provision 188 (e) does not apply to devices which are intentionally active in transport (radio frequency identification (RFID) transmitters, watches, sensors, etc.) and which are not capable of generating a dangerous evolution of heat.”

Justification

5. The condition imposed not to be capable of generating a quantity of heat sufficient to be dangerous enables such consignments to be exempted from the regulations without introducing an additional danger. As the lithium batteries in this equipment are sufficiently protected from each other, other dangerous reactions resulting from short-circuits between the pieces of equipment can be ruled out.
6. This proposal will be brought to the attention of the RID/ADR/ADN Joint Meeting at its September 2009 session and will also be submitted to the 87th session of WP.15 in Geneva from 2 – 6 November 2009.
