



OTIF/RID/CE/GTP/2020/4

15 October 2020

Original: German

RID: 12th Session of the RID Committee of Experts' standing working group
(Video-conference, 24 to 26 November 2020)

Subject: Entry into service verification of tank-wagons

Information from the Secretariat of OTIF

SUMMARY

Explanatory summary: Among other things, the informal working group on the testing and certification of tanks submitted proposals to the RID/ADR/ADN Joint Meeting for an entry into service verification for tanks.

Decision to be taken: The standing working group is asked to advise the informal working group on the testing and certification of tanks how the wording of 6.8.1.5.5 can be amended if the view is that this is not suitable for tank-wagons.

1. On the basis of Belgium's document [OTIF/RID/CE/GTP/2019/3](#) and informal documents [INF.7](#) (UIP) and [INF.11](#) (ERA), the 11th session of the standing working group (Vienna, 25 to 28 November 2019) discussed, *inter alia*, the new entry into service verification for tanks proposed by the RID/ADR/ADN Joint Meeting's informal working group on the testing and certification of tanks. The representatives of ERA and UIP were against including the proposed 1.8.7.5 in RID or wished at least to limit the scope of the entry into service verification. See report [OTIF/RID/CE/GTP/2019-A](#), paragraphs 17 to 23.
2. The informal working group on the testing and certification of tanks (London, 11 to 13 December 2019) was informed of the discussion at the standing working group. In its report (document [ECE/TRANS/WP.15/AC.1/2020/19](#)), the informal working group noted as follows:

"7. At 6.8.1.5.5 the group reviewed the application and scope of the entry into service verification in response to comments from a variety of sources. As proposed, the competent authority of the country of first registration, or of the country to where the tank is transferred, may require an entry into service verification by an inspection body. This could be on the basis of suspicions arising from an administrative check of the tank documentation, or of market intelligence from tank inspections or surveillance activities. A note in the proposals already makes it clear that reciprocal recognition agreements between countries such as the European Union Member States must be respected. During discussion it was acknowledged that an entry into service verification may not be suitable for some sectors such as tank-containers and tank-wagons, but equally it was noted that the verification is in any case not a mandatory requirement. Thus in principle the verification should not create difficulties in practice. Given the sources of the comments it was decided to defer further discussion to the Joint Meeting in March."

3. The documents submitted by the informal working group to the RID/ADR/ADN Joint Meeting (Berne, 10 and 11 September 2020 and Geneva, 14 to 18 September 2020) (document [ECE/TRANS/WP.15/AC.1/2020/20](#) and informal document [INF.6/Rev.1](#)) contain the following provisions for the entry into service verification.

“1.8.7.5 Entry into service verification

1.8.7.5.1 If an entry into service verification is required by the competent authority under 6.8.1.5.5, the owner or operator shall engage a single inspection body to carry out this inspection and shall provide it with the type approval certificate and the technical documentation specified in 1.8.7.8.4.

1.8.7.5.2 The inspection body shall review the documentation and:

- (a) Perform external checks (e.g. marking, condition);
- (b) Verify conformity with the type approval certificate;
- (c) Verify the validity of the approvals of the inspection bodies who performed the previous inspections and tests;
- (d) Verify that the transitional measures of 1.6.3 or 1.6.4 have been fulfilled.

1.8.7.5.3 The inspection body shall issue an entry into service verification report that contains the results of the assessment. The owner or operator shall present this report at the request of the competent authority requiring the entry into service verification, and to the inspection body(ies) in charge of subsequent inspections and tests.

In the event of a failed entry into service verification, the non-conformities shall be rectified and a new entry into service verification passed before the tank is used.

The inspection body in charge of the entry into service verification shall, without delay, inform its competent authority of any refusal.

6.8.1.5.5 *Entry into service verification according to 1.8.7.5*

NOTE: The competent authority shall respect reciprocal recognition agreements between RID Contracting States/Contracting Parties of ADR when considering entry into service verifications.

(RID:) The competent authority of the country of first registration may require an entry into service verification of the tank-wagon to verify conformity with the applicable requirements.

When the country of registration of a tank-wagon is changed, the competent authority of the RID Contracting State to which the tank-wagon is transferred may require an entry into service verification.

(ADR:) The competent authority of the country of first registration may require an entry into service verification of the tank-vehicle to verify conformity with the applicable requirements.

When the country of registration of a tank-vehicle is changed, the competent authority of the Contracting Party to ADR to which the tank-vehicle is transferred may require an entry into service verification.

The competent authority of the country of first registration may require an entry into service verification of the tank-container to verify conformity with the applicable requirements.

When the country of registration of a tank-container is changed, the competent authority of the RID Contracting State/Contracting Party to ADR to which the tank-container is transferred may require an entry into service verification.

The owner or operator of the tank shall engage a single inspection body approved by the competent authority of the country of registration to perform this entry into service verification. The entry into service verification shall consider the condition of the tank and shall ensure that the requirements of RID/ADR are fulfilled.”

4. In response to the above-mentioned documents, Belgium and UIP submitted informal documents [INF.15](#) and [INF.33](#) to the Joint Meeting. Belgium proposed completely to delete the text for RID in the left-hand column of the new 6.8.1.5.5. UIP proposed to include an additional provision in RID/ADR Chapter 6.8 to say that the competent authority may require an entry into service verification if there is any doubt with regard to conformity with RID/ADR.
5. The report of the Joint Meeting’s working group on tanks (document [ECE/TRANS/WP.15/AC.1/158/Add.1](#)) includes the following on the discussions concerning the testing and certification of tanks:

“13. The plenary instructed the working group on tanks to deal with the following three tasks in light of the concluding remarks by the Chairman of the Joint Meeting:

(...)

- (b) To advise the Joint Meeting on how to proceed with the Entry into Service Verification (EISV). On this matter, there was consensus in the group that the intention is for the EISV to be a market surveillance or market intelligence led activity which takes place on an occasional rather than on a systematic basis. It was therefore

concluded that more appropriate wording should be developed by the informal working group on the inspection and certification of tanks during the session planned for 16 and 17 December 2020, taking into account the discussions of the RID standing working group."

6. The Joint Coordinating Group of Experts (JCGE) (video-conference 8 and 9 September 2020) also dealt with this issue on the basis of a document from Belgium in which informal document INF.15 from the Joint Meeting was reproduced. The JCGE was asked to examine how this entry into service verification could be integrated into the process of registration/transfer of registration of tank-wagons, particularly when the authorisation for placing on the market is given by ERA. Belgium reported that most participants in the informal working group on the testing and certification of tanks were of the opinion that it would also be safer to keep the possibility of an entry into service verification in RID in view of its 45 Contracting States.
7. The discussion at the JCGE can be summarised as follows:
 - An entry into service verification contradicts the 4th Railway Package, because it would mean that a competent authority of a European Union Member State would have to check an approval issued by ERA.
 - The entry into service verification is a way of carrying out market surveillance following the example of the transportable pressure equipment directive. However, on the basis of RID 1.8.1.1, it is already possible for competent authorities to check at any time on their territory whether the provisions for the carriage of dangerous goods are being complied with.
 - The proposed 6.8.1.5.5 should only be seen as a clarification of 1.8.1.1 in relation to the conformity of tank-wagons. As 6.8.1.5.5 only contains an optional provision and does not require systematic checks, the competent authority may exercise its discretion.
 - Based on RID 6.8.2.4.6, there is already mutual recognition of the tests and inspections carried out by experts.
 - Most participants saw no problem with the wording proposed for 6.8.1.5.5.
8. In light of the previous discussions reported in this document, the standing working group is asked to give an opinion that can be referred to the working group on the testing and certification of tanks.
