

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 November 2011

(English only)

RID: 50th Session of the Committee of Experts on the Transport of Dangerous Goods
(Malmö, 21 – 25 November 2011)

Subject: Comments from Belgium concerning document OTIF/RID/CE/2011/8 from UIP

Preliminary remark: As highlighted by the OTIF secretariat at the end of document OTIF/RID/CE/2011/8, the RID Committee of Experts can pronounce itself on 1.6.3.X as proposed only and not on 1.6.4.X.

1. Document OTIF/RID/CE/2011/8 proposes to introduce a transitional measure in Chapter 1.6 of RID to allow the use of tanks constructed in countries signatory to multilateral agreement RID 7/2011 in accordance with the prescriptions of that agreement; specifically tanks fitted with valves not conforming to the requirements of standards EN 14432:2006 and EN 14433:2006 which were published as mandatory in RID 2011.
2. Belgium would like to underline the following:
 - The situation described in document OTIF/RID/CE/2011/8 from UIP (wagons constructed according to a multilateral agreement which can only be used for a maximum of 5 years in countries signatory to the agreement) illustrates perfectly that multilateral agreements should never be used to derogate from constructional requirements as this inevitably leads to future problems with respects to the continued use of wagons.
 - Retroactively legalizing the prescriptions of a multilateral agreement through a transitional measure, which covers a period in 2011 but is only published in 2013, poses problems of unfair competition with regards to those countries which were not signatory to the agreement and who required the application of the full regulations from their respective national constructors.

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3. From a constructional safety point of view, Belgium recognizes that the use of tanks fitted with valves in conformity with multilateral agreement RID 7/2011 poses no specific safety issues. As Belgium has not approved and registered any tank-wagons in 2011 which would be targeted by the mentioned multilateral agreement, we no longer press the issue and ask those countries directly concerned to express their opinions.
4. However, if the majority of the experts are in favour of the proposed transitional measure, Belgium would like to indicate that this transitional measure should focus on the use of the tank-wagons concerned and not on their construction and should be limited in time. The following wording is proposed:

"1.6.3.x Tank-wagons fitted before 31 December 2011 with product discharge valves and air inlet valves as well as bottom valves in accordance with the requirements in force up to 31 December 2010 but which do not, however, conform to the requirements of 6.8.2.6.1 concerning EN 14432:2006 or EN 14433:2006 applicable as from 1 January 2011 may continue to be used until the next inspection."
