



OTIF/RID/CE/GTP/2015/8

1 October 2015

Original: English

RID: 5th Session of the RID Committee of Experts' standing working group
(Zagreb, 23 - 27 November 2015)

Subject: Follow up to the debate on proposals 3 and 4 of document
ECE/TRANS/WP.15/AC.1/2015/35 – Amendments to the Instructions in writing in
5.4.3.4

Transmitted by the Government of Romania

Introduction

1. As stipulated in paragraph 56 of the draft report of the September 2015 RID/ADR/ADN Joint Meeting:

"56. After discussion, the Joint Meeting agreed that proposals 3 and 4 addressed issues specific to rail transport, which could be considered by the RID Committee of Experts at its next session."

2. In this regard we reproduce below the related paragraphs from the official document ECE/TRANS/WP.15/AC.1/2015/35 transmitted by the Government of Romania for agenda item 3 (b) of the last session of the RID/ADR/ADN Joint Meeting:

Proposal 3

14. The change of the term "*adapted*" in Note 2 on page 3 of the Instructions in writing of RID necessitates a change of the text in 5.4.3.4 in order to establish not only the contents, but also the form of the Instructions in writing. The proposal has no intention to limit or to impose a size for the document containing the Instructions in writing according to RID/ADR/ADN.

15. In paragraph 5.4.3.4 of RID, it is also proposed to replace "*should*" by "*shall*".

16. Amend the text of paragraph 5.4.3.4 of RID, to read as follows:

"**5.4.3.4** The instructions in writing ~~should~~shall correspond to the following four page model as regards their form and contents."

Proposal 4

17. The change proposed for the introductory text for the equipment on page 4 of the Instructions in writing according to RID is meant to regulate the use of the equipment. The current text is so worded that it does not require its use: "The following equipment^a shall be carried in the driver's cab:". The provisions of 5.4.3.2 and 5.4.3.3 do not refer to the use of the equipment and the actions to be performed with the equipment carried in the driver's cab are obligations for drivers.

18. Amend the introductory text for the equipment on page 4 of the Instructions in writing, according to RID, to read as follows:

"Equipment^a for personal protection to be carried in the driver's cab for personal use:".

The text of note **a** remains unchanged.

3. With regard to proposal 3 above:

(a) In order to analyse it, we present below the adopted text of NOTE 2 on page 3 of the instructions in writing according to RID, as follows:

"**NOTE 2:** Additional guidance shown in column (3) of the table above may be adapted to reflect the classes of dangerous goods to be carried and their means of transport and, if necessary, to supplement them according to existing national specifications."

(b) The interpretation in the draft report of the September 2015 RID/ADR/ADN Joint Meeting regarding the text of NOTE 2 is as follows:

"55. After discussion, the Joint Meeting confirmed that NOTE 2 of the model for the instructions in writing allowed for additions in the "Additional guidance" column, and that thus, instructions for which entries in that column were modified were in compliance, in respect of their content, with the four page model, as required by the introductory paragraph of 5.4.3.4."

4. With regard to proposal 4 above, the proposed solution introduced at the end of the current text was considered inadequate because it requires the personal use of the equipment by the driver only.

Proposal

5. The RID Committee of Experts' standing working group is invited to analyse the issues and to take the necessary decisions.

6. Taking into account the comments of participants, Romania proposes an alternative for the discussion on proposal 4, as follows:

"Equipment^a for personal protection to be carried in the driver's cab for use in the event of an accident or incident:".

Justification

Safety: Clear text improves safety.

Feasibility: The proposed amendments clarify the existing provisions and make the tasks to be carried out by various persons easier.

No disadvantages are envisaged.

As the instructions in writing according to RID have already been amended by the introduction of the new lithium battery label No. 9A in column (1) and a characteristic hazard in column (2) of the table (as adopted by the Joint Meeting at the September 2015 session), a transitional measure may be required.

Enforceability: No disadvantages are envisaged.
