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Chapter 1.6: Draft text

(Transmitted by the Secretariat)

CHAPTER 1.6

TRANSITIONAL MEASURES

1.6.1 General

1.6.1.1 Unless otherwise provided, the substances and articles of ADR may be carried until 30 June ~~2003–2005~~ in accordance with the requirements of ADR applicable up to 31 December ~~2002~~2004.

1.6.1.2 The danger labels which until 31 December ~~1998–2004~~ conformed to the models prescribed up to that date may be used until stocks are exhausted.

1.6.1.3 Substances and articles of Class 1, belonging to the armed forces of a Contracting Party, that were packaged prior to 1 January 1990 in accordance with the requirements of ADR in effect at that time may be carried after 31 December 1989 provided the packagings maintain their integrity and are declared in the transport document as military goods packaged prior to 1 January 1990. The other requirements applicable as from 1 January 1990 for this class shall be complied with.

1.6.1.4 Substances and articles of Class 1 that were packaged between 1 January 1990 and 31 December 1996 in accordance with the requirements of ADR in effect at that time may be carried after 31 December 1996, provided the packagings maintain their integrity and are declared in the transport document as goods of Class 1 packaged between 1 January 1990 and 31 December 1996.

1.6.1.5 *(Reserved)*

1.6.1.6 Intermediate bulk containers (IBCs) manufactured before 1 January 2003 in accordance with the requirements of marginal 3612 (1) applicable up to 31 December 2002 and which do not comply with the ~~prescriptions~~requirements of 6.5.2.1.1 regarding the height of letters, numerals and symbols of 6.5.2.1.1 applicable as from 1 July 2001 may still be used.

1.6.1.7 Existing orange-coloured plates ~~that~~which meet the requirements of sub-section 5.3.2.2 applicable up to 31 December 2004 may still be used.

1.6.1.8 The requirements of 8.2.1 are applicable to drivers of vehicles with a permissible maximum mass not exceeding 3.5 tonnes as from 1 January 2007. This transitional provision does not apply to drivers referred to in 8.2.1.3 and 8.2.1.4.

1.6.2 ***Unchanged***

1.6.3 **Fixed tanks (tank-vehicles), demountable tanks and battery-vehicles**

1.6.3.1 to 1.6.3.9 *Unchanged*

1.6.3.10 ~~*(Reserved)*Fixed tanks (tank-vehicles) and demountable tanks constructed before 1 January 1995, which were intended for the carriage of substances of UN No. 3256, but which do not, however, conform to the requirements applicable as from 1 January 1995, may still be used until 31 December 2004.~~

1.6.3.11 Fixed tanks (tank-vehicles) and demountable tanks constructed before 1 January 1997 in accordance with the requirements in force up to 31 December 1996 but which do not, however, conform to the requirements of marginals 211 332 and 211 333 applicable as from 1 January 1997, may still be used.

1.6.3.12 ~~*(Reserved)*Fixed tanks (tank-vehicles) and demountable tanks intended for the carriage of UN No. 2401 piperidine constructed before 1 January 1999 in accordance with the requirements of marginal 211 322 in force up to 31 December 1998, but which do not, however, conform to the requirements applicable as from 1 January 1999, may continue to be used until 31 December 2004.~~

1.6.3.13 Fixed tanks (tank-vehicles) and demountable tanks intended for the carriage of substances of UN No. 3257 constructed before 1 January 1997 which do not however conform to the requirements applicable as from 1 January 1997, may continue to be used until 31 December 2006.

1.6.3.14 *(Reserved)*

1.6.3.15 ~~*(Reserved)*Fixed tanks (tank-vehicles) and demountable tanks intended for the carriage of substances with the following UN Nos.: 1092, 1098, 1135, 1143, 1182, 1199, 1238, 1251, 1605, 1647, 1695, 1809, 2295, 2337, 2407, 2438, 2477, 2487, 2488, 2558, 2606, 2644, 2646, 2686, 3023, 3289 and 3290, constructed before 1 January 1997 in accordance with the requirements in force up to 31 December 1996, but which do not conform with the requirements applicable as from 1 January 1997 may continue to be used until 31 December 2002.~~

1.6.3.16 ~~*(Reserved)*Battery vehicles first registered before 1 July 1997 which do not meet the requirements of 9.2.2, may continue to be used until 31 December 2004.~~

1.6.3.17 *(Reserved)*

1.6.3.18 Fixed tanks (tank-vehicles), demountable tanks and battery-vehicles constructed before 1 January 2003 in accordance with the requirements in force up to 30 June 2001, but which do not, however, conform to the requirements applicable as from 1 July 2001, may still be used. Assignment to the tank code in the design type approvals and the relevant markings shall be carried out prior to 1 January 2009.

1.6.3.19 Fixed tanks (tank-vehicles) and demountable tanks constructed before 1 January 2003 in accordance with the requirements of 6.8.2.1.21 in force up to 31 December 2002 but which do not, however, conform to the requirements applicable as from 1 January 2003 may still be used.

1.6.3.20 Fixed tanks (tank-vehicles) and demountable tanks constructed before 1 July 2003 in accordance with the requirements in force up to 31 December 2002 but which do not, however, conform to the requirements of 6.8.2.1.7 and special provision TE15 of 6.8.4 (b) applicable as from 1 January 2003 may still be used.

1.6.3.21 Fixed tanks (tank-vehicles) and demountable tanks constructed before 1 January 2003 in accordance with the requirements in force up to 30 June 2001, which conform to the requirements of 6.8.2.2.10 but are not equipped with a pressure gauge or another suitable indicator, shall nevertheless be considered as being hermetically closed until the next periodic inspection according to 6.8.2.4.2 and not later than 31 December 2008.

1.6.3.22 to 1.6.3.24 (Reserved)

1.6.3.25 The date of the leakproofness test required by 6.8.2.4.3 need not be added to the tank plate required by 6.8.2.5.1 until the first leakproofness test after 1 January 2005 is performed.

1.6.3.26 to 1.6.3.29 (Reserved)

1.6.3.30 Vacuum-operated waste fixed tanks (tank-vehicles) and demountable tanks constructed before 1 January 2005, which conform to the requirements of 6.10.3.9 applicable as from 1 January 2003, may still be used.

1.6.3.31 to 1.6.3.39 (Reserved)

1.6.3.2140 Fibre-reinforced plastics (FRP) tanks

FRP tanks which have been constructed before 1 July 2002 in conformity with a design type approved before 1 July 2001 in accordance with the requirements of Appendix B.1c which were in force until 30 June 2001 may continue to be used until the end of their lifetime provided that all the requirements in force up to 30 June 2001 have been and continue to be complied with.

However, as from 1 July 2001, no new design type may be approved in accordance with the requirements in force until 30 June 2001.

1.6.4 Tank-containers and MEGCs

1.6.4.1 to 1.6.4.5 Unchanged

1.6.4.6 ~~(Reserved) Tank containers which were intended for the carriage of substances of UN No. 3256, constructed before 1 January 1995, but which do not, however, conform with the requirements applicable as from 1 January 1995, may still be used until 31 December 2004.~~

1.6.4.7 Tank-containers constructed before 1 January 1997 in accordance with the requirements in force up to 31 December 1996 but which do not, however, conform to the requirements of marginals 212 332 and 212 333 applicable as from 1 January 1997, may still be used.

1.6.4.8 and 1.6.4.9 (Reserved)

~~1.6.4.9 Tank containers intended for the carriage of UN No. 2401 piperidine, built before 1 January 1999 in accordance with the requirements of marginal 212 322 applicable up to 31 December 1998, but which do not, however, conform to the requirements applicable as from 1 January 1999, may continue to be used until 31 December 2003.~~

1.6.4.10 Tank-containers which were intended for the carriage of substances of UN No. 3257, built before 1 January 1997, but which do not conform, however, with the requirements applicable as from 1 January 1997, may still be used until 31 December 2006.

1.6.4.11 *(Reserved)*

1.6.4.12 Tank-containers and MEGCs constructed before 1 January 2003 in accordance with the requirements applicable up to 30 June 2001, but which do not, however, conform to the requirements applicable as from 1 July 2001, may still be used. Assignment to the tank codes in the design type approvals and the relevant markings shall be carried out prior to 1 January 2008.

1.6.4.13 Tank-containers constructed before 1 July 2003 in accordance with the requirements in force up to 31 December 2002 but which do not, however, conform to the requirements of 6.8.2.1.7 and special provision TE15 of 6.8.4 (b) applicable as from 1 January 2003 may still be used.

1.6.4.14 *(Reserved)*

1.6.4.15 The date of the leakproofness test required by 6.8.2.4.3 need not be added to the tank plate required by 6.8.2.5.1 until the first leakproofness test after 1 January 2005 is performed.

1.6.4.16 Tank-containers constructed before 1 January 2003 in accordance with the requirements applicable up to 30 June 2001, which comply with the requirements of 6.8.2.2.10 but are not equipped with a pressure gauge or another suitable indicator, shall nevertheless be considered as being hermetically closed until the next periodic inspection according to 6.8.2.4.2 and not later than 31 December 2007.

1.6.4.17 to 1.6.4.19 *(Reserved)*

1.6.4.20 Vacuum-operated waste tank-containers constructed before 1 January 2005, which conform to the requirements of 6.10.3.9 applicable as from 1 January 2003, may still be used.

1.6.5 Vehicles

~~1.6.5.1 ~~Transport units intended for the carriage of tank-containers or portable tanks exceeding 3 000 litres capacity first registered before 1 July 1997 which do not comply with the requirements of 9.1.2 and 9.2.2 may continue to be used until 31 December 2004. These transport units shall be subject, until that date, to the provisions of marginal 10-283 which were in force until 31 December 1996, and may be issued with a certificate in accordance with the model shown in Appendix B.3 applicable up to 30 June 2001.~~~~

~~*(Reserved).*~~

~~1.6.5.2 ~~Vehicles carrying demountable tanks and vehicles intended for the carriage of tank-containers or portable tanks registered before 1 January 1995, which were used, before that date, for the carriage of substances of UN No. 3256 and which do not fully comply with the requirements of 9.2.2, 9.2.3, 9.2.5, and 9.7.6 may continue to be used until 31 December 2004.~~~~

~~When a certificate of approval is required in accordance with 9.1.2.1.2, this certificate shall bear a mention indicating that the vehicle has been approved on the basis of 1.6.5.2.~~

~~*(Reserved).*~~

1.6.5.3 Vehicles carrying demountable tanks and vehicles intended for the carriage of tank-containers or portable tanks registered before 1 January 1997, which were used, before that date, for the carriage of substances of UN No. 3257 and which do not fully comply with the requirements of 9.2.2, 9.2.3, 9.2.5, and 9.7.6 may continue to be used until 31 December 2006.

When a certificate of approval is required in accordance with 9.1.2.1.2, this certificate shall bear a mention indicating that the vehicle has been approved on the basis of 1.6.5.3.

[1.6.5.4 As regards the construction of base vehicles, the requirements of Part 9 in force up to 31 December 2002 may be applied until 30 June 2004.]

Remainder of the chapter unchanged.