
Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Dangerous Goods

Ninety-Sixth Session

Geneva, 6–9 May 2014

Item 4 of the provisional agenda

Interpretation of ADR

16 April 2014

Maximum authorised weights of vehicles carrying dangerous goods

Transmitted by the Government of Ireland

We would like to know what the intention of the reference to the '44 tonne' figure is in Footnote 4 of the ADR model certificate, which states «A value of 44t will not limit the «registration / in-service maximum permissible mass» indicated in the registration document(s).»

Position 8 of the certificate for vehicles carrying certain dangerous goods ([sub-section 9.1.3.5 of ADR](#)) specifies details on endurance braking systems, according to sub-section 9.2.3.1.2 for EX/III, FL, OX and AT vehicles. The technical requirements of this braking system are in [ECE Regulation No.13, Annex 5, sub-section 2.3.1.2](#). The crucial provision of the said Regulation is as follows:

2.3.1.5 The performance of the endurance braking system shall be such that it fulfils the requirements of paragraph 1.8. of Annex 4 to this Regulation (Type-II A test), with a laden vehicle mass comprising the laden mass of the motor vehicle and its authorized maximum towed mass but not exceeding a total of 44 tonnes.

Is the operator limited to this weight when transporting dangerous goods on a national basis, or can an operator use a vehicle for the carriage of dangerous goods at weights exceeding 44 tonnes even though the endurance braking system fitted to the vehicle may only have been tested and approved for 44 tonnes?

In Ireland's case we have vehicles in circulation with 44 tonnes stated on their ADR Certificate but the manufacturer has declared the vehicle is capable (by design) of operating at 46 tonnes and an appropriate weights and dimensions plate has been fitted in accordance with Article 6 of 96/53/EC. Are such vehicles legal while being used for the carriage of dangerous goods at 46 tonnes if the endurance braking system has only been tested and approved for 44 tonnes, which is in accordance with ECE Regulation No.13, Annex 5, point 2.3.1.5?

We would welcome clarification on this point from the relevant legal and Member State experts.
