

VLG ENGELS 2011

ADDITIONAL PROVISIONS of the Netherlands concerning the transport of dangerous goods by road (Status: 01.07.2011)

From: *Regeling vervoer over land van gevaarlijke stoffen* (Regulation concerning the transport of dangerous goods by road), Annex 2:

(Annex 1 mentioned below is the Dutch translation of Annexes A and B of ADR)

CHAPTER I. PROVISIONS FOR DOMESTIC TRANSPORT ONLY

Article 1 Scope

This Chapter applies to the transport of dangerous goods that takes place exclusively within the Netherlands.

Article 2 Exemptions

The Minister shall grant an exemption as referred to in Article 9 of the *Wet vervoer gevaarlijke stoffen* (Transport of Dangerous Goods Act) only on condition that the safety will not be put in danger and the transport for what purpose the exemption has been granted is clearly defined and is temporarily.

Article 3 N provisions

The N provisions in this Chapter:

- a. are supplementary to Annex 1; or
- b. replace the obligations referred to in the provisions numbered correspondingly in Annex 1, insofar as they contain obligations that are incompatible with the provisions numbered correspondingly in Annex 1,

1.5.1.1 N Multilateral agreements

1. Non-transboundary transport may take place in accordance with multilateral agreements as referred to in marginal 1.5.1.1 of Annex 1, under the condition that the agreements are signed by the Netherlands.
2. With regard to transport that complies with the multilateral agreement referred to in paragraph 1, the transport provisions in that agreement shall be observed.

5.1.2.1/5.2.1 N Labelling and marking

The labelling and marking on packages, containers, tanks, vehicles and on overpacks of packages, shall include at least Dutch, French, German or English language.

5.4.1.4 N Transport document

With regard to the transport document it is permitted that the indications prescribed may be in Dutch only.

6.8.3.2 N Equipment of tank-vehicles for propane, butane and a mixture thereof

Tank-vehicles registered in the Netherlands, intended for the transport of propane, butane and mixtures thereof, must be equipped with an emergency stop device that is connected to the control system of the safety relief device as referred to in marginal 6.8.3.2.3 of Annex 1, and to the drive system of the pump. As an

immediate consequence of operating the emergency stop device, the safety relief devices are closed and the pump is stopped. There must be operating controls for the emergency stop device in the control box(es) and at the front left and rear right of the tank.

Tank-vehicles intended for the transport of propane, butane or mixtures thereof must be equipped with a driving-off alarm, in order to prevent driving off with a connected hose or a hose that has not been put away. This device should consist of a flashing red light on the dashboard and an intermittent warning sound in the cabin.

6.8.3.4 N Inspection

Tank-vehicles registered in the Netherlands, intended for the transport of propane, butane or mixtures thereof, must be subjected to a visual, external examination and an inspection of the proper operation of its equipment once every 26 weeks.

7.5.7.5/8.3.3 N Open up packagings

In derogation from marginals 7.5.7.5/8.3.3 of Annex 1, the driver or co-driver is permitted

- a. to open an outer packaging which contains dangerous goods that are used as pesticides;
- b. to open an IBC, in which UN1202 diesel fuel, gas oil or light heating oil is transported.

It is only permitted to open these packagings for direct deliverance of the mentioned goods in the agriculture, in the road-building and on construction sites.

8.1.2 N Documents that should accompany transport

Where exemption has been granted for the relevant transport by virtue of Article 9 of the *Wet vervoer gevaarlijke stoffen*, the exemption or a copy thereof must be added to the transport document.

8.2.1 N Special training of the driver

The obligation of marginal 8.2.1 of Annex 1 does not apply to drivers of:

- a. motor vehicles of a limited speed as referred to in the *Regeling voertuigen* (Vehicle Regulation), used for transporting empty uncleaned tanks with a capacity of no more than 3 m³, which previously contained diesel fuel, gas oil or light heating oil; or
- b. fire-fighting vehicles that contain dangerous goods, provided that:
 1. there are certified fire-fighters in those vehicles, within the meaning of the *Besluit brandweerpersoneel* (Decree on Fire-fighting Staff); and
 2. the safety level, obtained by certificate, of this personal shall be guaranteed.

9.2.3.1 N Braking equipment

Insofar it concerns the vehicle endurance system marginal 9.2.3.1 of Annex 1 does not apply to motor vehicles built before 1 January 1997.

9.7.5.1 N Stability

By derogation from the second sentence of marginal 9.7.5.1 of Annex 1, with regard to the pressure of the axles of the loaded semi-trailer.

articulated vehicles registered in the Netherlands must comply only with relevant provisions of the *Regeling voertuigen*. **CHAPTER II. PROVISIONS APPLICABLE TO ALL TRANSPORT ON DUTCH TERRITORY**

Article 1 Scope

1. This Chapter applies to all transport of dangerous goods on Dutch territory, and:
 - a) is based on marginals 1.9.2, 1.9.3 and 1.9.4, or
 - b) is to address competencies which are particularly mentioned in the marginals of Annex 1.
2. This Chapter does not apply to transport taking place in accordance with marginals 1.1.3 and 3.4 of Annex 1.

Article 2 Loading and unloading place

It is prohibited, with regard to tank-vehicles, demountable tanks, battery- vehicles, tank-containers, portable tanks, MEGCs or bulk containers, to load and unload dangerous goods as referred to in marginal 1.2.1 of Annex 1 elsewhere than:

- a. at the address of the consignor, filler, loader and the consignee; or
- b. at places where dangerous goods are used.

Article 3 Tunnel regime

1. Restrictions for the transport of dangerous goods, mentioned under tunnel category C in marginal 1.9.5.2.2 of Annex 1, apply for:
 - a. the Beneluxtunnel situated in the A4 between Vlaardingen and Hoogvliet
 - b. the Coentunnel, situated in the A10 in Amsterdam;
 - c. the Drechttunnel, situated in the A16 between Zwijndrecht and Dordrecht;
 - d. the Kiltunnel, situated in the S43 between Dordrecht and 's-Gravendeel;
 - e. the Noordtunnel, situated in the A15 between Hendrik-Ido-Ambacht and Alblasserdam;
 - f. the Sytwendetunnel, situated in the N14 in Leidschendam-Voorburg;
 - g. the Thomassentunnel. Situated in the N15 in Rotterdam;
 - h. the Vlaketunnel, situated in the A58 between Kruiningen and Kapelle;
 - i. the Waterwolftunnel, situated in the N201 between Aalsmeer and Haarlemmermeer;
 - j. the Westerscheldetunnel, situated in N62 between Terneuzen and Goes;
 - k. the Wijkertunnel, situated in the A9 between Beverwijk and Velsen;
 - l. the Zeeburgertunnel, situated in the A10 in Amsterdam.
2. Restrictions for the transport of dangerous goods, mentioned under tunnel category D in marginal 1.9.5.2.2 of Annex 1, apply for:
 - a. the Botlektunnel, situated in the A15 between Hoogvliet and Rozenburg;
 - b. the Heinenoordtunnel, situated in the A29 between Barendrecht and Oud-Beijerland;
 - c. the Hubertustunnel, situated in the N14 in Den Haag (The Hague);
 - d. the IJtunnel, situated below the IJ in Amsterdam;
 - e. the Koningstunnel, situated in the Koningskade in Den Haag (The Hague);
 - f. the Maasboulevardtunnel, situated in the municipality Maastricht;
 - g. the Maastunnel, situated below the Nieuwe Maas in Rotterdam;
 - h. the Piet Heintunnel, situated under the Amsterdam-Rijnkanaal in Amsterdam;
 - i. the Velsertunnel, situated in the A22, between Beverwijk and Velsen.
3. Restrictions for the transport of dangerous goods, mentioned under tunnel category E in marginal 1.9.5.2.2 of Annex 1 apply for the ArenAtunnel, situated below the Amsterdam ArenA in Amsterdam.

4. The tunnels referred to in this article are indicated with traffic sign C 22, as referred to in Annex 1 to the *Reglement verkeersregels en verkeerstekens 1990* (Regulation on traffic rules and traffic signs, 1990). Below the sign another sign is added with the capital letter indicating the category of the tunnel concerned, according to this article.

Article 4

The transport of the substances included in table 1 is subject to compulsory routes as referred to in Article 12, paragraph 1 of the *Wet vervoer gevaarlijke stoffen*.

Table 1.

Class	Transport in tanks	Transport in bulk	Transport in packages in quantities larger than 1.1.3.6
1	All substances	All substances	Fireworks of the UN numbers 0336 and 0337 with a total net explosive mass of more than 20 kilograms, and all substances and articles in excess of the quantities referred to in 1.1.3.6, except for the substances and articles mentioned under division 1.4
2	All flammable and/or toxic gases where a label of model no. 2.1 and/or 2.3 is required		
4.1			Selfreactive substances with explosive properties (type B), substances where a label of model nos. 4.1 and 1 is required
4.2	Substances of packing group I		
4.3	All substances	All substances	
5.2			Organic peroxides with explosive properties (type B), substances where a label of model nos. 5.2 and 1 is required
6.1	Substances of packing group I which specifically are considered as toxic by inhalation in accordance with the proper shipping name as referred to in marginal 3.2.1 of Annex I or by means of special provision 354 of Chapter 3.3 of Annex I		
8	Substances of the following UN numbers: 1829, 2240, 2502 and 2817		UN-number 2502
Empty tanks, vehicles or containers, uncleaned of above mentioned substances			

Article 5 Loading and unloading

The loading and unloading of explosive substances and objects of Class 1 in quantities per transport unit exceeding the exempted quantities in marginal 1.1.3.6 of Annex 1, and of fireworks of UN numbers 0336 and 0337 with a total net explosive mass of more than 20 kilograms, must take place under the supervision of an expert.

Article 6 Weather conditions

1. The following is not permitted where, due to weather conditions such as fog, snow or rain, visibility is limited to less than 200 metres:
 - a. the transport of dangerous goods in transport units with tanks of a capacity of more than 3000 litres;
 - b. the transport of fireworks exceeding the exempted quantities as referred to in marginal 1.1.3.6 and fireworks of UN numbers 0336 and 0337 with a total net explosive mass of more than 20 kilograms.
2. It is not permitted to transport dangerous goods in tanks, in bulk or in packages in quantities per transport unit exceeding the conditionally exempted quantities referred to in marginal 1.1.3.6 of Annex 1 and fireworks of UN numbers 0336 and 0337 with a total net explosive mass of more than 20 kilograms:
 - a. if, due to weather conditions, visibility is less than 50 metres; or
 - b. if the road surface is slippery.
3. The Minister may grant an exemption from the ban on transport when the road surface is slippery as mentioned under paragraph 2, if:
 - a. the road is slippery for a long period of time; and
 - b. in his opinion, the urgency of transport has been demonstrated satisfactorily.

Article 7 Salt water ferry

1. 'Salt water ferry' means: a ship transporting both vehicles and passengers, other than the vehicles' crew, on one of the following routes:
 - a. Den Helder - Texel
 - b. Harlingen - Vlieland
 - c. Harlingen - Terschelling
 - d. Holwerd - Ameland
 - e. Lauwersoog – Schiermonnikoog.
2. Table 2 mentions the substances, transport method and quantities banned from transportation by a salt water ferry.
3. The transport of dangerous goods other than those mentioned in table 2 is permitted only where the transport consists of:
 - a. no more than two transport units, to be parked last on an open car deck; or
 - b. no more than one transport unit, to be parked last on a closed car deck.
4. It is prohibited to park a transport unit on a closed car deck of a salt water ferry, which is loaded with substances of Class 3 of packing group I and II;
5. Around the transport units loaded with dangerous goods, a free space of at least two metres in a horizontal direction, and a distance of at least five metres to passengers must be observed.
6. The driver or co-driver of a transport unit with dangerous goods must stay with his vehicle during the crossing.
7. The driver of a transport unit loaded with dangerous goods other than those mentioned in table 2 must provide the necessary information on the nature and quantity of the dangerous goods being transported to the shipmaster or a staff member of the ferry office appointed for this purpose, before driving onto a salt water ferry.

8. Ferry companies may impose additional or limiting measures.

Table 2

Class	Transport in tanks	Transport in bulk	Transport in packagings in quantities larger than 1.1.3.6
1	All substances	All substances	a. all substances and b. fireworks of the UN numbers 0336 and 0337 with a total net explosive mass of more than 20 kilograms
2	All flammable and/or toxic gases where a label of model no. 2.1 and/or 2.3 is required		All flammable gases where a label of model no. 2.1 is required
3	Substances with additional label no. 6.1 and/or 8 of packing group I en II.		Substances with additional label no. 6.1 and/or 8 of packing group I and II.
4.1			Selfreactive substances with explosive properties (type B), substances where a label of model nos. 4.1 and 1 is required
4.2	All substances	All substances	All substances
4.3	All substances	All substances	All substances
5.2	All substances		all substances
6.1	Substances of packing group I which specifically are considered as toxic by inhalation in accordance with the proper shipping name as referred to in marginal 3.2.1 of Annex I or by means of special provision 354 of Chapter 3.3 of Annex I		Substances of packing group I which specifically are considered as toxic by inhalation in accordance with the proper shipping name as referred to in marginal 3.2.1 of Annex I or by means of special provision 354 of Chapter 3.3 of Annex I
6.2	UN-numbers 2814, 2900		UN-numbers 2814, 2900
8	All substances	All substances	All substances
Empty tanks, vehicles or containers, uncleaned of above mentioned substances			

Article 8 Ferry

When crossing an inland waterway, the following provisions apply to the transport of vehicles on ships other than salt water ferries as referred to in Article 7:

- a. on the ferry, a transport unit loaded with explosive substances and articles of Class 1 must be given priority over other vehicles or persons;
- b. during transport as referred to in section a, there should be no other vehicles or persons on the ferry, unless those persons are part of the transport unit's crew, or their presence is required for the operation of the ferry;
- c. transport units with tank(s) labelled and marked in accordance with marginals 5.3.1 and 5.3.2 of Annex 1 must be placed on the ferry in such a way that they can be removed quickly; and
- d. the driver of a transport unit, loaded with dangerous goods, must provide the necessary information on the nature and quantity of the dangerous goods being transported to the shipmaster or a staff member of the ferry office appointed for this purpose, before driving onto the ferry.

Article 9 Marking and labelling vehicles

Uncoupled trailers and semi-trailers must be provided with the marking and labelling prescribed under marginals 5.3.1 and 5.3.2 of Annex 1, as being coupled to a drawing vehicle.

Article 10 Admission of vehicles and tank containers

1. The following vehicles and tank-containers may be used for their intended use, provided that they have been approved by the *Dienst Wegverkeer* (RDW; State Service for Road Traffic):
 - a. vehicles registered in the Netherlands, subject to inspection under this regulation, as referred to in marginal 9.1.3.1 of Annex 1; or
 - b. tank-containers registered in the Netherlands, subject to inspection under this regulation.
2. Approval shall be refused where, according to this regulation, a means of transport as referred to in paragraph 1 does not comply with this regulation in the opinion of the *Dienst Wegverkeer*.
3. In derogation from paragraph 2, means of transport whose technical structure and equipment does not comply with this regulation may be approved where, in the opinion of the *Dienst Wegverkeer*, the technical structure and equipment of the means of transport have a safety level that is at least equal to that required.
4. The owner or holder of a means of transport as referred to in paragraph 1 must notify the *Dienst Wegverkeer* without delay after a collision or accident which has caused damage to the means of transport.
5. The owner or holder of a means of transport as referred to in paragraph 1 ensures that said means of transport is made available to the *Dienst Wegverkeer* for inspection:
 - a. each time before the last approval loses its validity; or
 - b. after an important repair; or
 - c. when the *Dienst Wegverkeer* considers an inspection necessary for safety reasons.
6. Where the inspection, as referred to in paragraph 5, reveals that a means of transport, as referred to in paragraph 1, does not comply with this regulation, the owner or holder shall be obliged to ensure that it is not used again before a new inspection shows that the arrangements considered necessary by the *Dienst Wegverkeer* have been made; until the new inspection has taken place, the *Dienst Wegverkeer* may confiscate or instruct the confiscation of the certificate of

approval. The owner or holder shall then be obliged to hand in the certificate of approval as demanded by *Dienst Wegverkeer* or on its behalf.

7. Where a means of transport as referred to in paragraph 1 is not made available for inspection in accordance with the provisions of paragraph 6, the *Dienst Wegverkeer* may confiscate or instruct the confiscation of the certificate of approval. The owner or holder shall then be obliged to submit the certificate of approval to the *Dienst Wegverkeer*.

8. This article is applicable *mutates mutandis* until 1 January 2014 to small mobile tanks which are in use in the Netherlands and which refer to fixed tanks with a content of not more than 1 m³, intended for the transport of diesel fuel, gas oil or light heating oil.

Article 11 Retention period of training records

The employer keeps the records as referred to in marginals 1.3.3 and 1.10.2.4 of Annex 1 during the period of employment relationship between the employer and the employee who has received the training.
