
EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations implement Council Directive [94/55/EC](#) on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road, insofar as it relates to the transport of dangerous goods (other than radioactive material and explosives) but not the classification, packaging and labelling of dangerous goods. They also implement European Parliament and Council Directive [94/63/EC](#) on the control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations insofar as it relates to provisions for bottom loading and vapour recovery systems of mobile containers carrying petrol and the retention of vapours within such containers until reloading takes place at a terminal (O.J. No. L365/24, 31.12.94, p. 24). The Regulations impose prohibitions on and requirements for the carriage of dangerous goods by road in any container, tank or vehicle. They revoke the Road Traffic (Carriage of Dangerous Substances in Packages etc.) Regulations 1992 and the Road Traffic (Carriage of Dangerous Substances in Road Tankers and Tank Containers) Regulations 1992.

2. The terms and expressions used in the Regulations are defined in regulation 2 and the scope of the Regulations is defined in regulation 3 and schedule 2.

3. The Regulations—

- (a) require the approval and publication by the Health and Safety Commission of documents entitled “Approved Carriage List”, “Approved Tank Requirements” and “Approved Vehicle Requirements”, and place duties on the operator of, and other specified persons concerned with, any tank or vehicle used for the carriage of dangerous goods to comply with relevant requirements of those documents (regulations 5 and 6);
- (b) impose requirements for the method of dispatch of specified dangerous goods and restrictions on their forwarding (regulation 7 and schedule 4);
- (c) prohibit the carriage of dangerous goods in a container or vehicle in bulk, or in a tank, unless specified requirements are complied with (regulations 8 and 9);
- (d) require a container, tank or vehicle used for the carriage of dangerous goods to be suitable for such carriage and adequately maintained, and impose additional requirements concerning their suitability (regulation 10 and schedule 7);
- (e) require tanks constructed after 31st December 1998 and used for the carriage of dangerous goods to comply with specified provisions relating to their design and suitability, and to be examined, tested and certified, and provide for the keeping of certificates issued in connection therewith (regulation 11);
- (f) require the operator to be in possession of the consignor’s declaration as described and impose general requirements for the carriage of dangerous goods (regulation 12);
- (g) require specified information to be provided by the consignor of dangerous goods to the operator, and by the operator to any other operator engaged to carry those goods, require the operator to provide the driver with the Transport Documentation and for that documentation to be available during carriage, and provide for the keeping of certain information by operators (regulations 13—16);

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- (h) require information to be displayed in accordance with Schedule 10 on any container, tank or vehicle used for the carriage of dangerous goods and impose duties in relation to that display (regulation 17);
- (i) prohibit the carriage of certain mixed loads (regulation 18);
- (j) impose requirements for the safe loading, stowage and unloading of dangerous goods and for the cleaning of containers, tanks and vehicles used for the carriage of dangerous goods (regulation 19 and schedule 11);
- (k) set out requirements for the unloading of petrol from the tank of a road tanker at petroleum filling stations and certain other premises licensed for the keeping of petrol (regulation 20 and schedule 12);
- (l) impose duties in the event of accidents and emergencies and for the prevention of fire and explosion during the carriage of dangerous goods, and require the provision of equipment for dealing with such hazards (regulations 21—23);
- (m) specify requirements for the supervision or other means of securing parked vehicles used for the carriage of dangerous goods (regulation 24);
- (n) permit the granting of exemptions by the Health and Safety Executive or the Secretary of State for Defence in given circumstances (regulation 25);
- (o) provide a defence to the Regulations, allow alternative compliance with specified international provisions, where those provisions apply to a matter to which these Regulations apply, and provide a transitional defence (regulations 26—28); and
- (p) set out revocations and consequential amendments (regulation 29).

4. Copies of relevant documents may be obtained as follows—

- (a) the current edition of the European Agreement concerning the International Carriage of Dangerous Goods by Road (“ADR”) [ISBN 0 11 551265 9 (UK) or ISBN 92 1139043 5 (UN version)], the Convention concerning International Carriage by Rail (“COTIF”), Cmnd.5897, from Her Majesty’s Stationery Office;
- (b) the Approved Carriage List, Approved Vehicle Requirements, Approved Tank Requirements and Approved Requirements and Test Methods for the Classification and Packaging of Dangerous Goods for Carriage from HSE Books, PO Box 1999, Sudbury, Suffolk CO10 6FS; Dillons; Rymans the Stationer; and all good booksellers;
- (c) the current edition of the International Maritime Dangerous Goods Code [volumes I to IV ISBN 92 801 1314 3, Supplement ISBN 92 801 1316 X] from the International Maritime Organisation, 4 Albert Embankment, London SE1 7SR;
- (d) British Standard BSEN 3-1: 1996 from the British Standards Institution, British Standards House, 389 Chiswick High Road, London W4 4AL; and
- (e) the current edition of the Technical Instructions for the Safe Transport of Dangerous Goods by Air [Doc 9284-AN/905 and supplement] from Civil Aviation Authority, Printing and Publications Service, Greville House, 37 Gratton Road, Cheltenham, Gloucestershire GL50 2BN.

5. A copy of the cost benefit assessment prepared in respect of these Regulations can be obtained from the Health and Safety Executive, Safety Policy Directorate, Rose Court, 2 Southwark Bridge, London SE1 9HS. A copy has been placed in the Library of each House of Parliament.