



European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations 2011 to 2017

Competent Authority Exemption 02/2017

Applicable To National Road Transport Only

Use of ADR tank vehicles constructed since 1 July 2003 operating as national tanks

The Health and Safety Authority as competent authority appointed under Regulation 10 of the European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations 2011 to 2017, and in accordance with Regulation 5(4)(a), hereby **exempts ADR tank-vehicles operating as national tanks from in service periodic and intermediate ADR inspection, testing and certification for a specified period.**

Purpose

The national provision allowing ADR tank-vehicles to be treated as national tanks was removed from legislation in January 2017 (S.I. 5 of 2017) with an effective date of 1 July 2017. This amendment means that from the 1 July 2017 all ADR tank-vehicles that have been operating as national tank-vehicles must be brought back to ADR standards in order to be in full compliance with current legislation.

To provide for this process, ADR tank-vehicles that have been maintained as national tanks may continue in service under the national tanks inspection and testing regime until 31 December 2018. Thereafter all affected tank-vehicles will be subject to ADR requirements at the next due date for periodic or intermediate inspection.

ADR test, inspection and certification activities may only be performed by an accredited inspection body approved by the competent authority.

For further information on this matter see the [information note](#) on the HSA web site.

The following supplementary provisions shall be complied with:

1. A copy of this exemption must be carried by affected tank-vehicles until fully ADR compliant.
2. Tank-vehicle operators shall adhere to the specified due date for inspection. However, bringing forward the full ADR inspection is permissible.

3. Tank-vehicles while availing of this exemption from 1 July 2017 must remain fully compliant with national tank provisions until such time as they are brought fully in line with ADR.
4. Tank-vehicles while operating as national tanks under this exemption and requiring an exceptional check, shall have remedial work as may be required carried out by a competent authority approved inspection body.
5. The operation of tank-vehicles failing to meet ADR standards when tested may not continue in use as a national tank-vehicle unless authorised by the competent authority.

An [application form](#) for a competent authority exemption is available from the HSA web site.

6. Any incident resulting in loss of containment of a substance during the transport journey shall be reported by the operator to:

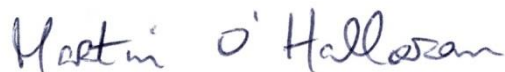
Health and Safety Authority
The Metropolitan Building
James Joyce Street
Dublin 1
D01 K0Y8

<mailto:wcu@hsa.ie>

7. The Authority may withdraw this exemption for failure to observe any of these conditions or for any other reason which the Authority deems sufficient.
8. In all other respects the relevant requirements of ADR shall be complied with.
9. This exemption is valid until the date of expiry, provided no changes are made to the ADR which would affect this approval in the intervening period.

This exemption is effective immediately and expires on **31 December 2021**.

Date: 23 June 2017



Martin O'Halloran
CEO
Health and Safety Authority