
STATUTORY INSTRUMENTS

1996 No. 2095

The Carriage of Dangerous Goods by Road Regulations 1996

PART V

LOADING AND UNLOADING

Prohibition of the carriage of certain mixed loads

18.—(1) Subject to paragraph (2), no operator of a container, or tank vehicle shall cause or permit to be carried therein any dangerous goods which are required by the CDGCPL Regulations to be labelled with a “liable to explosion” subsidiary hazard sign together with any other dangerous goods unless effective measures have been taken to ensure that the carriage of such a mixed load is no more dangerous than the carriage of the same total quantity of dangerous goods in an unmixed load.

(2) The prohibition referred to in paragraph (1) shall not apply to any mixed load of dangerous goods where the load is mixed only to the extent that each of the dangerous goods is carried in separate, closed containers with complete sides.

Loading, stowage, unloading and cleaning of containers, tanks and vehicles

19.—(1) The operator and any other person engaged in the carriage of dangerous goods shall take such steps as it is reasonable for them respectively to take to ensure that nothing in the manner in which dangerous goods are loaded, stowed or unloaded from any container, tank or vehicle is liable to create a significant risk or significantly increase any existing risk to the health or safety of any person arising out of the presence of those goods.

(2) Without prejudice to the generality of paragraph (1), the operator of any container, tank or vehicle and the driver of any vehicle which is being used for the carriage of dangerous goods shall ensure that—

- (a) the provisions contained in paragraphs (3) to (9) are complied with; and
- (b) any requirements specified in Schedule 11 relating to those goods are complied with.

(3) The various components of any load comprising dangerous goods shall be properly stowed and secured by appropriate means to prevent them from being significantly displaced in relation to each other and to the sides of the vehicle.

(4) Where dangerous goods have escaped from any package into a container or vehicle in which they are being carried, the container or vehicle concerned shall be cleaned as soon as possible and in any case before re-loading.

(5) Containers and vehicles which have been used for the carriage of dangerous goods in bulk shall be properly cleaned before re-loading unless the new load consists of dangerous goods with the same designation as the preceding load.

(6) No person shall smoke either in the vicinity of or inside vehicles which are being used for the carriage of dangerous goods, during loading and unloading operations.

(7) Where dangerous goods with a flash-point of 61°C or below are carried in a tank—

- (a) a good electrical connection from the vehicle chassis to earth shall be established before the tank is filled or emptied; and
 - (b) the rate of filling of the tank shall be limited so as to prevent an electrostatic discharge of such energy as is likely to cause ignition of any flammable vapour present.
- (8) Except where the engine has to be used to drive the pumps or other appliances for loading or unloading the vehicle, the vehicle's engine shall be shut off during loading and unloading operations.
- (9) No tank or compartment thereof shall be overfilled with dangerous goods and for the purposes of this paragraph "overfilled" means filled beyond a safe level.
- (10) Subject to paragraph (11), the driver of any vehicle which is being used for the carriage of dangerous goods in a tank shall ensure, so far as is practicable, that—
- (a) all openings in the tank; and
 - (b) where any discharge or filling opening in the tank is fitted with one or more valves or is fitted with a cap, all such valves and that cap,
- are securely closed prior to the commencement of and throughout the journey.
- (11) Nothing in paragraph (10) shall be taken as permitting the proper functioning of any safety device to be compromised.

Unloading of petrol at petroleum filling stations and certain other premises licensed for the keeping of petrol

20.—(1) The provisions of Schedule 12 to these Regulations shall have effect for regulating the unloading of petrol from the tank of a road tanker at—

- (a) any petroleum filling station; and
- (b) any other premises for which a petroleum-spirit licence authorising the keeping of petrol is in force, except where those premises are licensed for keeping more than 100,000 litres of such petrol in storage tanks,

and the enforcing authority for these Regulations and for sections 2 to 4 and sections 7 and 8 of the Health and Safety at Work etc. Act 1974 in respect of such unloading as is specified in subparagraphs (a) and (b) of this paragraph shall be the petroleum licensing authority, even if the relevant tanker is on a road at the time of unloading.

(2) In this regulation and Schedule 12 to these Regulations—

- (a) "petrol" means petroleum-spirit (within the meaning given to that phrase by section 23 of the Petroleum (Consolidation) Act 1928(1)) intended for use as fuel for motor vehicles, motor vessels or aircraft;
- (b) "petroleum filling station" means any premises or place used or intended to be used by way of trade or for purposes of gain for fuelling motor vehicles with petroleum, and includes any building, advertisement, pump or other apparatus in, or used in connection with, any such premises or place;
- (c) "the petroleum licensing authority" means the local authority empowered to grant petroleum-spirit licences under the Petroleum (Consolidation) Act 1928 for the petroleum filling station or other premises concerned; and
- (d) "petroleum-spirit licence" has the same meaning as in section 23 of the Petroleum (Consolidation) Act 1928.

(1) 1928 c. 32; section 23 was modified by S.I.1974/1942.