

ANNEX I

TRANSPORT BY ROAD

[^{F1}I.3.National derogations

Based on Article 6(2)(a) of Directive 2008/68/EC

BE Belgium

RO-bi-BE-5

Subject: Carriage of waste to waste disposal plants.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 5.2, 5.4, 6.1.

Content of the Annex to the Directive: Classification, marking and requirements concerning the packaging.

Content of the national legislation: Instead of classifying waste according to the ADR, waste is assigned to different groups (flammable solvents, paints, acids, batteries, etc.) to avoid dangerous reactions within one group. The requirements for the manufacture of packaging are less restrictive.

Initial reference to the national legislation: *Arrêté royal relatif au transport des marchandises dangereuses par route*

Comments: This regulation may be used for the carriage of small quantities of waste to disposal plants.

Expiry date: 31 December 2022

RO-bi-BE-6

Subject: Adoption of RO-bi-SE-5

Initial reference to the national legislation: *derogation 01-2004*

Expiry date: 31 December 2022

RO-bi-BE-7

Subject: Adoption of RO-bi-SE-6

Initial reference to the national legislation: *derogation 02-2003*

Expiry date: 31 December 2022

RO-bi-BE-8

Subject: Exemption from prohibition on driver or driver's assistant opening packages of dangerous goods in a local distribution chain from a local distribution depot to a retailer or end-user and from the retailer to the end-user (except for Class 7).

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 8.3.3.

Content of the Annex to the Directive: Prohibition on driver or driver's assistant opening packages of dangerous goods.

Content of the national legislation: Prohibition of opening packages is qualified by the proviso 'Unless authorised to do so by the operator of the vehicle'.

Initial reference to the national legislation: *Arrêté royal relatif au transport des marchandises dangereuses par route*

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

Comments: If taken literally, the prohibition in the Annex as worded can create serious problems for retail distribution.

Expiry date: 31 December 2022

RO-bi-BE-10

Subject: Transport in close proximity of industrial sites including transport on public road.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: Annexes A and B.

Content of the Annex to the Directive: Annexes A and B.

Content of the national legislation: The derogations concern the documentation, the driver's certificate, labelling and/or marking of packages.

Initial reference to the national legislation: *derogations 10-2012, 12-2012, 24-2013, 31-2013, 07-2014, 08-2014, 09-2014 and 38-2014.*

Expiry date: 31 December 2022

RO-bi-BE-11

Subject: collection of butane-propane cylinders without conforming labelling

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 5.2.2.1.1

Content of the Annex to the Directive: gas cylinders need to have hazard labels affixed.

Content of the national legislation: during the collection of cylinders which contained UN 1965, the missing hazard labels don't need to be replaced if the vehicle is correctly labelled (model 2.1)

Initial reference to the national legislation: *derogation 14-2016.*

Expiry date: 31 December 2022

RO-bi-BE-12

Subject: transport of UN 3509 in sheeted bulk containers

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 7.3.2.1

Content of the Annex to the Directive: UN 3509 has to be carried in closed bulk containers

Initial reference to the national legislation: *derogation 15-2016*

Expiry date: 31 December 2022

RO-bi-BE-13

Subject: transport of DOT cylinders

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 6.2.3.4 to 6.2.3.9

Content of the Annex to the Directive: gas cylinders need to be manufactured and tested according to Chapter 6.2 of ADR

Content of the national legislation: gas cylinders constructed and tested according to the prescriptions of United States Department of Transportation (DOT) can be used for transport of a limited list of gases annexed to the derogation

Initial reference to the national legislation: *derogation BWV01-2017*

Expiry date: 31 December 2022]