
STATUTORY INSTRUMENTS

1996 No. 2093

The Carriage of Explosives by Road Regulations 1996

PART II

MODE OF CARRIAGE

Prohibition of the carriage of certain explosives

- 7.—(1) No person shall carry explosives of Compatibility Group K in a vehicle.
- (2) No person shall carry unclassified explosives in a vehicle except—
- (a) solely in connection with an application for their classification; and
 - (b) in accordance with such conditions as are approved in writing for the time being by the Health and Safety Executive or, in the case of military explosives, by the Secretary of State for Defence, for the purposes of this regulation.
- (3) No person shall carry explosives—
- (a) in Compatibility Group L; or
 - (b) in Divisions 1.1, 1.2 or 1.5 in large containers,
- in a vehicle other than in a load which is under sole use.

Carriage of explosives in vehicles used to carry passengers for hire or reward

- 8.—(1) No person shall carry explosives in a vehicle being used to carry passengers for hire or reward except in accordance with the conditions specified in paragraph (2).
- (2) The said conditions are—
- (a) the only explosives carried by that person are any of the explosives specified in Parts I or II of Schedule 1, gunpowder or smokeless powder, or any mixture of them;
 - (b) the maximum total quantity of explosives carried by that person does not exceed 2 kilograms;
 - (c) the explosives are kept with that person and are kept properly packed;
 - (d) all reasonable precautions are taken by that person for the prevention of accidents arising from the explosives.
- (3) For the purposes of this regulation, where explosives are being carried by a passenger, the driver and operator of the vehicle shall not be treated as carrying them as well.

Carriage in bulk

9. No person shall cause or permit the carriage in bulk of explosives which are explosive substances.

Suitability of vehicles and containers

10.—(1) The operator of a vehicle or container which is intended to be, or is being used, for the carriage of explosives shall ensure that such a vehicle or container is suitable for the safety and security of the explosives being carried.

(2) Without prejudice to the generality of paragraph (1), the operator of a vehicle which was constructed on or after 1st January 1997 or a container, whether constructed before or after that date, which is intended to be, or is being used, for the carriage of explosives, shall ensure that the requirements of Schedule 2 are complied with.

The Approved Explosives Vehicle Requirements

11.—(1) The Health and Safety Commission shall approve and publish for the purposes of these Regulations a document entitled “Approved Requirements for the Construction of Vehicles Intended for the Carriage of Explosives by Road” which shall contain—

- (a) the requirements for the construction of different types of vehicles for the carriage of explosives for the purposes of regulations 10, 12 and 13 and Schedules 2 and 3; and
- (b) explanatory notes and other material requisite for the use of the document.

(2) The Health and Safety Commission may approve a revision of the approved document referred to in paragraph (1) and, when it does so, the Commission shall within 3 months of the date of that approval publish, in such manner as it considers appropriate, a notice specifying the revision, the date on which it was approved and the date on which it takes effect, which last-mentioned date shall not be less than 6 months after the date of the approval of the revision.

(3) In these Regulations “the Approved Explosives Vehicle Requirements” means the document referred to in paragraph (1) or where there has been a revision of that document under paragraph (2), the document as so revised.

Types of vehicle

12. In these Regulations—

- (a) any reference to a type of vehicle is a reference to a vehicle of type I, II or III;
- (b) any reference to a vehicle of type I is a reference to a vehicle other than one of type II or type III;
- (c) any reference to a vehicle of type II or type III is a reference to a vehicle which satisfies the requirements for a type II or type III vehicle, respectively, in the Approved Explosives Vehicle Requirements.

Limits on quantities

13.—(1) Subject to Part I of Schedule 3, the operator of a vehicle which was constructed—

- (a) on or after 1st January 1997 and which is of a type specified in column 1 of the Table in Part II of Schedule 3, shall ensure that there is not carried therein explosives in any of the Divisions specified in columns 2 to 7 of the Table in excess of the quantity specified for that type of vehicle and the Division of the explosives concerned in the corresponding entry thereof;
- (b) before 1st January 1997, shall ensure that there is not carried therein, explosives of the type specified in column 1 of the Table in Part III of that Schedule in excess of the quantity specified for that type of explosive in the corresponding entry in column 2 thereof.

(2) It shall be sufficient compliance with paragraph (1)(b) if paragraph (1)(a) is complied with as if the vehicle was constructed on or after 1st January 1997.

(3) Nothing in this regulation or Schedule 3 shall be construed as allowing a greater quantity of explosives to be carried than that for which the vehicle and any container in which the explosives are carried, are suitable as described in regulation 10.

(4) Where explosives are being carried in—

(a) a container in or on a vehicle; or

(b) a trailer, other than a semi-trailer, attached to a vehicle,

and in order to comply with paragraph (1)(a) the vehicle needs to satisfy a particular requirement of the Approved Explosives Vehicle Requirements as to the construction of the body of the vehicle, it shall be sufficient compliance with that requirement if it is satisfied by the container or trailer, as the case may be, as if it were a vehicle.

Mixed loads

14.—(1) The operator of a vehicle or container which is being used for the carriage of explosives shall ensure that—

(a) explosives in different Compatibility Groups are not carried together unless—

(i) such carriage is permitted by paragraph 6 of Schedule 4, or

(ii) subject to paragraph (2)(a), 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 quantity of explosives in any one of the Compatibility Groups carried;

(b) explosive substances and explosive articles in the same Compatibility Group are not carried together 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 quantity of explosives in the form of explosive substances or explosive articles alone; and

(c) explosives in Compatibility Group L are not carried with a different type of explosive in the same Compatibility Group.

(2) The operator of a vehicle or container which is being used for the carriage of explosives shall ensure that—

(a) notwithstanding paragraph (1)(a)(ii)—

(i) explosives in—

(aa) Compatibility Group A,

(bb) Compatibility Group L,

are not carried with each other or with explosives in any other Compatibility Group,

(ii) explosives in Compatibility Group H are not carried with explosives in any other Compatibility Group other than explosives in Division 1.4 and Compatibility Group S;

(b) unclassified explosives are not carried with classified explosives except those in Compatibility Group S.

(3) The operator of a vehicle or container which is being used for the carriage of explosives shall ensure that explosives are not carried with any other dangerous goods unless—

(a) such carriage is permitted by paragraph 7 of Schedule 4; and

(b) all reasonably practicable measures have been taken to prevent the explosives being brought into contact with, or otherwise endangering or being endangered by, any such goods.