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STATUTORY INSTRUMENTS

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**1996 No. 2095**

**The Carriage of Dangerous Goods by Road Regulations 1996**

**PART VI**

**EMERGENCIES AND PARKING**

**Equipment**

**21.**—(1) Subject to paragraph (2), the operator of any vehicle which is being used for the carriage of dangerous goods shall ensure that—

- (a) it is equipped so that the driver can take those measures detailed in the emergency information which he would be required to take in order to comply with regulation 22(1); and
- (b) where toxic gases are being carried, the vehicle crew are provided with suitable respiratory protective equipment to enable them to escape safely in case of emergency.

(2) Paragraph (1) shall not apply in relation to any trailer which is being used for the carriage of dangerous goods where that trailer is detached from the motor vehicle.

**Accidents and emergencies**

**22.**—(1) In the event of an accident or emergency involving the carriage of dangerous goods, the driver of the vehicle shall take all reasonable steps to ensure that any instructions contained within the emergency information relating to those goods concerning the measures to be taken by him are complied with.

(2) In the event of an emergency involving a vehicle which is being used for the carriage of dangerous goods which cannot be brought under immediate control, the driver of the vehicle shall take all reasonable steps to ensure that the appropriate emergency services are notified by the quickest practical means.

**Precautions against fire or explosion**

**23.**—(1) No person shall cause or permit anything to be done which is liable to create a significant risk or significantly increase any existing risk of a fire or an explosion whilst dangerous goods are being carried in any container, tank or vehicle.

(2) Subject to paragraphs (3) and (6), the operator of any vehicle which is being used for the carriage of dangerous goods shall ensure that it is equipped with—

- (a) at least one portable fire extinguisher with a minimum capacity of 2 kg of dry powder, or other suitable extinguishant with an equivalent test fire rating of at least 5A and 34B as defined in British Standard BSEN 3-1:1996, suitable for fighting a fire in the engine or cab of the vehicle, and such that, if it is used to fight a fire involving the load, it does not aggravate the fire and, if possible, controls it; and
- (b) at least one portable fire extinguisher with a minimum capacity of 6 kg of dry powder, or other suitable extinguishant with an equivalent test fire rating of at least 21A and 183B

as defined in British Standard BSEN 3-1:1996, suitable for fighting a tyre or brake fire or a fire involving the load, and such that, if it is used to fight a fire in the engine or cab of the vehicle, it does not aggravate the fire.

- (a) (3) (a) The fire extinguisher referred to in paragraph (2)(a) need not be suitable for fighting a fire in the engine if the vehicle is equipped with a fixed fire extinguisher, suitable for fighting a fire in the engine, which either works automatically or is easily brought into action;
- (b) the fire extinguisher referred to in paragraph (2)(b) need not be provided where the only dangerous goods being carried are infectious substances;
- (c) where the vehicle is a motor vehicle with a permissible maximum weight of less than 3.5 tonnes, the fire extinguisher referred to in paragraph (2)(b) may be replaced by a fire extinguisher with a minimum capacity of 2 kg of dry powder, or other suitable extinguishant with an equivalent test fire rating of at least 5A and 34B as defined in British Standard BSEN 3-1:1996.

(4) Except where the only dangerous goods being carried are infectious substances, the operator of any vehicle which is being used for the carriage of dangerous goods shall ensure that any portable fire extinguisher provided in accordance with this regulation—

- (a) bears a mark of compliance with a standard recognised by a competent authority for that type of extinguisher;
- (b) is fitted with a seal verifying that it has not been used; and
- (c) where it was manufactured after 31st December 1996, bears an inscription indicating the date when it should next be inspected.

(5) The operator of the vehicle referred to in paragraph (4) shall ensure, prior to carriage, that the date inscribed on any portable fire extinguisher in accordance with sub-paragraph (c) of that paragraph has not passed.

(6) Paragraph (2)(a) shall not apply in relation to any trailer which is being used for the carriage of dangerous goods where that trailer is not attached to a motor vehicle.

(7) The operator of any vehicle which is used for the carriage of dangerous goods shall ensure that the extinguishants contained in the fire extinguishers referred to in this regulation are such that they are not liable to release toxic gases—

- (a) into the driver's cab; or
- (b) when under the influence of the heat of a fire.

### **Supervision and parking of vehicles**

**24.**—(1) Subject to paragraph (2), the operator of any vehicle which is being used for the carriage of dangerous goods and the driver of that vehicle shall ensure that when the vehicle is parked it is—

- (a) supervised at all times by a competent person—
  - (i) over the age of 18 years, or
  - (ii) who is a member of the armed forces; or
- (b) parked in an isolated position—
  - (i) unsupervised in the open in a secure depot or secure factory premises, or, if no such facilities are available,
  - (ii) in a vehicle park supervised by an appropriate person who has been notified of the nature of the load and the whereabouts of the driver, or if no such facilities are available,

(iii) in a public or private vehicle park where the vehicle is not likely to suffer damage from any other vehicle, or, if no such facilities are available,

(iv) in a suitable open space separated from the public highway and from dwellings, where the public does not normally pass or assemble,

having first been properly secured.

(2) Paragraph (1) shall not apply in circumstances where the vehicle has been damaged or has broken down on a road and the driver has left the vehicle to seek assistance, provided he has taken all reasonable steps to secure the vehicle and its contents before leaving it unattended.

(3) When a driver parks a vehicle which is being used for the carriage of dangerous goods he shall apply the parking brake.