
STATUTORY INSTRUMENTS

1996 No. 2095

The Carriage of Dangerous Goods by Road Regulations 1996

PART VI

EMERGENCIES AND PARKING

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.