

Repealed by 369/2011

NB: Unofficial translation, legally binding only in Finnish and Swedish

Ministry of Transport and Communications of Finland

**Decree of the Ministry of Transport and
Communications on the Transport of Dangerous
Goods by Road** Adopted in Helsinki, 4 March 2009
(171/2009)

Section 1

Scope of application

- (1) This Decree applies to the transport of dangerous goods by road.
- (2) This Decree also applies to tanks of special vehicles used for transferring fuel for the purposes of aviation as provided for in sections 4 and 11.
- (3) This Decree does not apply to the transport of Class 6.2 substances such as liquid manure and corresponding waste for the use of agriculture.

Section 2

Definitions

Unless otherwise provided for below, in this Decree and its Annexes:

- 1) *packaging* means packagings approved for the transport of dangerous goods, IBC packaging and overpacks;

2) *tank-vehicle* means a vehicle with one or more fixed tanks that is constructed for the transport of liquids or gas or powdery or granular substances;

3) *tank* means tank-vehicles, demountable tanks, battery-vehicles, MEGCs, UN tanks and tank containers;

4) *vehicle* means any motor-driven vehicle intended for use on the road, being complete, incomplete or completed, having at least four wheels and a permissible maximum design speed of over 25 kilometres per hour; a trailer, with the exception of an all-terrain vehicle and mobile machinery and a tractor in agricultural or forestry use the speed of which in the transport of dangerous goods does not exceed 40 kilometres per hour with trailer; however, in the application of provisions on packagings, tanks and tank containers and of provisions on their marking and labelling as well as on the marking and labelling of a vehicle, an all-terrain vehicle and mobile machinery and their trailers as well as towable equipment are also deemed vehicles;

5) *transport unit* means a power-driven vehicle or a combination of such a vehicle and a trailer. A semi-trailer coupled with a dolly is deemed as one trailer.

Section 3

Annexes to the Decree

- (1) Provisions on substances and articles to be accepted for carriage only under special conditions due to their dangerousness or to be excluded from carriage are issued in Annexes A – C.
- (2) Annex A contains general provisions as well as provisions on dangerous substances and articles.
- (3) Annex B contains provisions on transport means and transport.

- (4) Annex C contains provisions on local transport, transport in buses and on other special transport.

Section 4

Tanks of tank-vehicles used at an airport

- (1) The provisions of Chapter 6.8 of Annex A apply to the tanks referred to in section 1(2). However, the radius of convexity of the shell wall may derogate from the provisions of paragraphs 6.8.2.1.18 and 6.8.2.1.19 and the shut-off devices of the discharge pipe-socket from the provisions of paragraph 6.8.2.2.2 if the safety level referred to in the said paragraphs is maintained.
- (2) In addition to the provisions of subsection 1, the special provisions of Chapters 4.3 and 6.8 of Annex A on flammable liquids apply to the inspections and use of tanks.
- (3) Tank-vehicles shall be marked and labelled with markings and danger labels complying with the provisions of Chapters 4.3, 5.3 and 6.8.

3

Section 5

IBC packagings and tank containers used for storing and transporting liquid motor fuels in agriculture, forestry, and earth moving as well as in other similar operations

- (1) The following demountable tanks in accordance with the Decision of the Ministry of Trade and Industry on Flammable Liquids (313/1985) are deemed to comply with the structural requirements provided for an IBC packaging or a tank container when used for storing and transporting liquid motor fuels in connection with agriculture, forestry, earth moving and other similar operations:

- 1) demountable rectangular or cylindrical steel tanks complying with section 44 of the said Decision with a capacity of not less than 0.45 m³ but not exceeding 1.5 m³ in the form of IBC packagings referred to in Chapter 6.5 of Annex A;
 - 2) demountable cylindrical steel tanks complying with section 41 of the said Decision and with standard SFS 2733 with a capacity of not less than 1.5 m³ but not exceeding 3.0 m³ in the form of IBC packagings referred to in Chapter 6.5 of Annex A; and
 - 3) demountable cylindrical steel tanks complying with section 41 of the said Decision and with standard SFS 2733 with a capacity exceeding 3.0 m³ in the form of tank containers referred to in Chapter 6.8 of Annex A.
- (2) The equipment of demountable tanks referred to in subsection 1 (1–3) may comply with the Decision of the Ministry of Trade and Industry referred to in subsection 1 with the exception of the air vent, which shall be replaced by a pressure balancing device. These demountable tanks may, however, not be dischargeable or fillable through the lower part of the body. They may be equipped with leakage basins.
- (3) The provisions on type-approval and periodic inspections of Chapter 6.5 of Annex A in the case of IBC packagings and those of Chapter 6.8 in the case of tank-containers apply to the demountable tanks referred to in subsections 1 and 2. The marking plate shall, in addition to the information required in Chapters 6.5 and 6.8, include the information required in the Decision of the Ministry of Trade and Industry referred to in subsection 1.
- (4) The TDG inspection body type-approves the demountable tanks referred to in subsections 1 and 2. The TDG inspection body also carries out the inspections and periodic inspections required prior to putting the demountable tanks into service.

- (5) With the exception of the provisions of subsections 2–4, all the provisions of Annexes A and B apply to the demountable tanks referred to in this section.

Section 6

Keeping of documents relating to the indication of conformity of packagings and tanks

An inspection body shall keep the documents relating to the indication of conformity of packagings and tanks referred to in Annex A of this Decree with their appendices for at least 10 years, unless otherwise provided in the provisions of Annex A.

Section 7

Routing restrictions

- (1) The routing restrictions on the transport of dangerous goods referred to in section 14 b (1) of the Act on the Transport of Dangerous Goods (719/1994) apply to the dangerous goods belonging to groups A and B of Chapter 1.9 of Annex A and their quantities.
- (2) The routing restrictions are indicated with traffic signs.
- (3) Notwithstanding the routing restrictions, dangerous goods may, for a special reason, be transported in a restricted area by permission of the chief of the police district issued for a set period.

Section 8

Derogations

The provisions of this Decree do not apply in full or in part to the transport of dangerous goods for which Annexes to this Decree contain a derogation

from the application of provisions relating to the nature, quantity and method of packaging of dangerous goods.

Section 9

Derogations in rescue operations

In urgent rescue operations the provisions of this Decree may be derogated from if compliance with the provisions would hamper the rescue operations.

Section 10

Derogations in individual cases

- (1) With regard to packagings and tanks other than those used for transporting radioactive materials, the Safety Technology Authority may, upon application, in an individual case and subject to conditions deemed necessary by it, grant derogations from the provisions of this Decree. It may also, subject to conditions deemed necessary by it, grant derogations from the provisions relating to the material of vehicles and containers used for transporting explosives.
- (2) The Finnish Radiation and Nuclear Safety Authority may, upon application, in an individual case and subject to conditions deemed necessary by it, grant derogations from the provisions of Annexes to this Decree.
- (3) The Finnish Food Safety Authority Evira may, for the transport of infectious substances, in an individual case and subject to conditions deemed necessary by it, grant derogations from the provisions of Annexes to this Decree.

- (4) With regard to cases other than those referred to in subsections 1 - 3, the Ministry of Transport and Communications may, upon application, in an individual case, grant a derogation from the provisions of this Decree.
- (5) The derogations referred to in subsections 1 - 4 may be granted only if there are special compelling reasons thereto or if compliance with the provisions would cause unreasonable costs or considerable detriment. In addition, the granting of a derogation requires that the required safety can be achieved by other means.

Section 11

Entry into force

- (1) This Decree enters into force on 1 April 2009.
- (2) This Decree repeals Decree of the Ministry of Transport and Communications on the Transport of Dangerous Goods by Road of 21 March 2002 (277/2002) with Annexes, as amended.

Section 12

Transitional provisions

- (1) The provisions in force at the time of the entry into force of this Decree may be applied until 30 June 2009.
- (2) Notwithstanding section 4, a tank referred to in section 4 and put into service prior to 1 October 1997 may be used if the tank fulfils the provisions in force upon putting the tank into service. The periodic inspection as well as the leakproofness test and check of operation are, however, carried out in accordance with Chapter 6.8 of Annex A at test pressures in accordance with the provisions in force on 30 September 1997.

- (3) Demountable tanks referred to in section 5 and put into service prior to 1 January 1999 which fulfil the requirements of the provisions in force upon the entry into force of this Decree may be used for transport until 30 June 2011.
- (4) Tanks approved for service subject to a special permit prior to 1 January 1999 are deemed to fulfil the structural requirements of the provisions in force upon the entry into force of this Decree. All provisions of Annexes A and B of this Decree apply to these tanks and they may still be used for transport.
- (5) Measures necessary for the implementation of this Decree may be taken before its entry into force.
- (6) Vehicle-approval certificates valid upon the entry into force of this Decree shall be valid as such for the time period indicated in the certificate.