

## SCHEDULE 1

Regulation 2(1)

### CASES WHERE THE CARRIAGE OF DANGEROUS GOODS IS NOT CARRIAGE TO WHICH THESE REGULATIONS APPLY

These Regulations shall not apply to any such carriage as is specified in regulation 2(1) where—

- (a) the motor vehicle concerned is registered outside the United Kingdom and the carriage is confined to Great Britain but nevertheless conforms to the provisions of ADR as if it were part of an international transport operation;
- (b) the vehicle concerned is not being used for, or in connection with, work;
- (c) the goods concerned are intended for use solely in connection with the operation of the vehicle, road tanker or tank container in which the goods are being carried or the operation of any on-board equipment intended to ensure the safety of the load, vehicle, road tanker or tank container;
- (d) the vehicle concerned is being towed or otherwise moved by a break-down or recovery vehicle, and—
  - (i) both vehicles are being escorted by a vehicle used for the purposes of the police or a fire-brigade maintained by a fire authority, and
  - (ii) the vehicle being towed or otherwise moved as aforesaid is being driven to the nearest suitable safe place with a view to it (or any tank container or other vessel which it is carrying) being repaired, cleaned, purged or decontaminated;
- (e) the vehicle concerned is being driven by a fitter, vehicle tester or any other similar person, for the purpose of testing the vehicle, and that person has received adequate instruction and training to enable him to understand the nature of the dangers to which the dangerous goods being carried may give rise and the action to be taken in an emergency concerning them;
- (f) the vehicle concerned is being driven by—
  - (i) a police constable, as a result of an emergency, or
  - (ii) a member of a fire brigade maintained by a fire authority, as a result of an emergency, and that constable or member of a fire brigade, as the case may be, has received adequate instruction and training to enable him to understand the nature of the dangers to which the dangerous goods being carried may give rise and the action which it is appropriate to take to reduce the risks arising out of the emergency;
- (g) the goods concerned are being carried—
  - (i) between private premises and another vehicle situated in the immediate vicinity of those premises, or
  - (ii) between one part of private premises and another part of those premises situated in the immediate vicinity of that first part where both parts are occupied by the same person, notwithstanding that those parts may be separated by a road;
- (h) the vehicle concerned is a road construction vehicle engaged in the repair or construction of a road; and in this sub-paragraph—
  - (i) “road construction vehicle” means a vehicle constructed or adapted for the carriage of built-in road construction machinery and not constructed or adapted for the carriage of any other load except articles and material used for the purposes of that machinery,
  - (ii) “built-in road construction machinery” means road construction machinery built-in as part of a road construction vehicle or permanently attached to it, and

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- (iii) “road construction machinery” means a machine or contrivance suitable for use in the repair and construction of roads;
- (i) the vehicle concerned is engaged in carriage which is part of an international transport operation within the meaning of article 1(c) of ADR and that carriage—
  - (i) complies with the provisions of Annex A or Annex B or both to that Agreement, or
  - (ii) is in a vehicle under the control of the armed forces or a vehicle owned by the armed forces, where they are the armed forces of a country which is a contracting party to ADR;
- (j) the carriage of the dangerous goods concerned is subject to a bilateral or multilateral special agreement made under the terms of Article 4.3 of ADR to which the United Kingdom is a contracting party and conforms to any conditions attached to such an agreement.