



## **DANGEROUS GOODS PANEL (DGP)**

### **TWENTY-SEVENTH MEETING**

**Montréal, 16 to 20 September 2019**

#### **Agenda Item 3: Managing safety risks posed by the carriage of lithium batteries by air**

##### **3.4: Consider measures to mitigate safety risks posed by lithium batteries carried and/or used by passengers, crew and the operator (Ref: Job Card DGP.003.02)**

#### **“PROVISIONS FOR LITHIUM BATTERIES CARRIED BY PASSENGERS AND COMPLIANCE WITH UN MANUAL OF TEST CRITERIA**

(Presented by Privitera)

#### **SUMMARY**

This information paper invites the panel to discuss the fact that Part 8 of the Technical Instructions places responsibility for verifying compliance with the requirement for personal equipment containing lithium batteries, such as laptops or smartphones or games, to pass the tests in the *UN Manual Test and Criteria*, Part III, subsection 38.3 on individual passengers. It is evident that a typical passenger would have no qualification and no means to discharge this responsibility properly. Therefore, something more and different should be required by the Technical Instructions, like an obligation by the manufacturer of the portable electronic devices (PEDs) to clearly declare to the final user that the device meets the UN test requirements..

## **1. INTRODUCTION**

1.1 Part 8, Table 8-1 of the Technical Instructions requires both "Lithium batteries (including portable electronic devices)" and "Battery-powered mobility aids (e.g. wheelchairs)", to be of the type tested according to the requirements of *UN Manual Test and Criteria*, Part III, subsection 38.3, which is also clearly stated in Part 2;9 of the Technical Instructions.

1.2 This requirement, in practice, places legal accountability on those who transport these batteries or the devices containing them, whether they are part of the crew of the aircraft, and therefore subject to specific dangerous goods training or they are "simple" passengers, and therefore normally ignorant of the requirements that the batteries must meet.

1.3 But even trained staff could be practically incapable to check in real life if PEDs carried by passengers are compliant or not with Table 8-1 provisions, with obvious safety and legal consequences.

1.4 A further consideration should be that this undesirable situation concerns almost all passengers of today's commercial flights.

1.5 With the latest edition of the Technical Instructions, the obligation for manufacturers and distributors of lithium batteries to supply on request the test results according to the UN *Manual Test and Criteria*, Part III, subsection 38.3 was introduced in Part 2;9.3 g).

1.6 Therefore, by analogy with the obligation imposed in Part 2;9.3, it should be possible to impose to PED manufacturers, whose batteries have successfully passed the tests according to the UN *Manual Test and Criteria*, Part III, subsection 38.3, to put a label or a mark on the device clearly indicating that the battery is "suitable" to be transported by air.

1.7 With such a provision, or an equivalent one, it would be possible for passengers and for operator staff to easily verify compliance of the PED with the provisions of Table 8-1 of the Technical Instructions.

## 2. **FUTURE WORK BY THE DGP**

2.1 The DGP is invited to:

- a) consider the importance and sensitivity of the topic, in particular the assignment of a responsibility to a subject that is already known by DGP to be unable to exercise this responsibility, and the possible consequences (legal actions or even accidents);
- b) evaluate a suitable type of wording or symbol that may indicate the suitability of PEDs and lithium batteries to be transported by air, such that it is immediately identified by the passenger in possession of such battery or device; and
- c) agree on a way forward that should be at the same time practical, effective and achievable in a limited timeframe.

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