

Hazardous Materials Transportation

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Laws and Regulations

 The California Highway Patrol (CHP) enforces hazardous materials (HM) transportation laws and regulations.

State

- California Vehicle Code (CVC)
- Title 13, California Code of Regulations
- Federal
 - Title 49, Code of Federal Regulations (CFR)



State Law

- §2402.7 CVC
 - Requires the CHP to adopt the definitions for HM from Title 49, CFR.
- §34501(b) CVC
 - Requires the CHP to adopt regulations for the transportation of HM within the state.
 - Ensures the safety of persons and property when using the highways.



Federal Regulations

- Title 49, CFR, applies to:
 - Packaging manufacture
 - Includes fabrication, testing, certifying
 - Pre-transportation
 - Includes classification, filling, labeling, shipping papers, loading, blocking, and bracing
 - Transportation
 - Includes security, HM communication, vehicle operations



What is Your Role?

- Everyone has specific responsibilities
- Lack of compliance can have serious consequences and pose a risk to:
 - Health
 - Public
 - Carrier
 - Customer
 - Environment
 - Property



The Process



Responsibilities

- No person may offer or accept an HM unless it is properly
 - classed,
 - described,
 - packaged,
 - marked, <u>and</u>
 - labeled

in a condition as required by regulation.



Responsibilities

- No person may transport an HM unless it is transported in accordance with
 - the requirements of Title 49, CFR,
 or
 - a special permit or approval.



Offeror Responsibility

- Classification/testing
- Shipping papers
- Marking
- Labeling
- Packaging
- Emergency response information





Did You Know?

Title 49, CFR, Section 172.506(a)

Each person offering a motor carrier a hazardous material for transportation by highway shall provide to the motor carrier the required placards for the material being offered prior to or at the same time the material is offered for transportation, unless the carrier's motor vehicle is already placarded for the material as required by this subpart.



Carrier Responsibility

- Shipping papers
- Emergency response information
- Marking
- Placarding
- Package condition
- Loading, blocking, bracing





Did You Know?

Title 49, CFR, Section 171.2(f)

Each carrier who transports a hazardous material in commerce may rely on information provided by the offeror of the hazardous material or a prior carrier, unless the carrier knows or, a reasonable person, acting in the circumstances and exercising reasonable care, would have knowledge that the information provided by the offeror or prior carrier is incorrect.



Common Questions

- Battery transportation
- Limited quantities
- · Class 9 HM
- Driver endorsements
 - HM
 - Tank vehicle





Critical Compliance Points



Common Violations

Violation	49 CFR Section
Package not secure in vehicle	177.834(a)
No copy of U.S. DOT hazmat registration number	107.620(b)
No shipping papers, carrier	177.817(a)
Shipping paper accessibility	177.817(e)
No required placards or markings	177.823(a)
Vehicle not placarded as required	172.504(a)
Prohibited placarding	172.502(a)(1)
Placard damaged, deteriorated, or obscured	172.516(c)(6)
Maintenance/accessibility of emergency response information	172.602(c)(1)
Offer or transport without emergency response information	172.600(c)

Source: The Motor Carrier Safety Planner, https://csa.fmcsa.dot.gov/



Title 49, CFR, §177.834(a)

- Any package containing any hazardous material, not permanently attached to a motor vehicle, must be secured against shifting, including relative motion between packages, within the vehicle on which it is being transported, under conditions normally incident to transportation.
- Packages having valves or other fittings must be loaded in a manner to minimize the likelihood of damage during transportation.



Packages containing HM are held to a higher standard. This standard is intended to:

- Prevent damage to the packages.
- Ensure package integrity.
- Prevent a release of the HM.





Are there specific methods required to be used to secure packages of HM?

No. Any of the following may be used provided the requirements of Title 49, CFR, §177.834(a), are met:

- Blocking
- Bracing
- Using other cargo or dunnage

- Tie-downs
- Shoring bars (load locks)



Is stretch or shrink-wrapping packages to a pallet considered securement?

- Packages may be wrapped (unitized) on a pallet but they must be secured from shifting on the pallet.
- Additionally, the pallet must be secured from shifting.







Why is it Important?

- 1. Safety
 - Risk to Persons, Property, and Environment
- 2. Damaged Containers = Leaking = Clean-Up Costs
- 3. Fines/Penalties
- 4. Effect on Safety Measurement System Data
 - Hazardous Materials Compliance Basic







Importance of Training

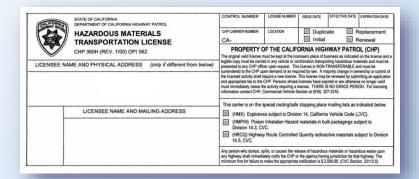
Title 49, CFR, §172.704 - Training

- General awareness/familiarization training
- Function-specific training
- Safety training
- Security awareness training
- Trained once every 3 years



Hazardous Materials Transportation License

- Required for all carriers
 - Interstate or intrastate
 - Exceptions
- If transporting,
 - Any amount of HM requiring the display of placards; or
 - 500 pounds or more of an HM which would require placards at a greater quantity in a for-hire capacity.





Hazardous Materials Transportation License

- Requires:
 - An accurate and complete application
 - A California carrier ID number (unless one has already been obtained
- Renewed annually

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Questions?



Commercial Vehicle Section (916) 843-3400

