



# **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.

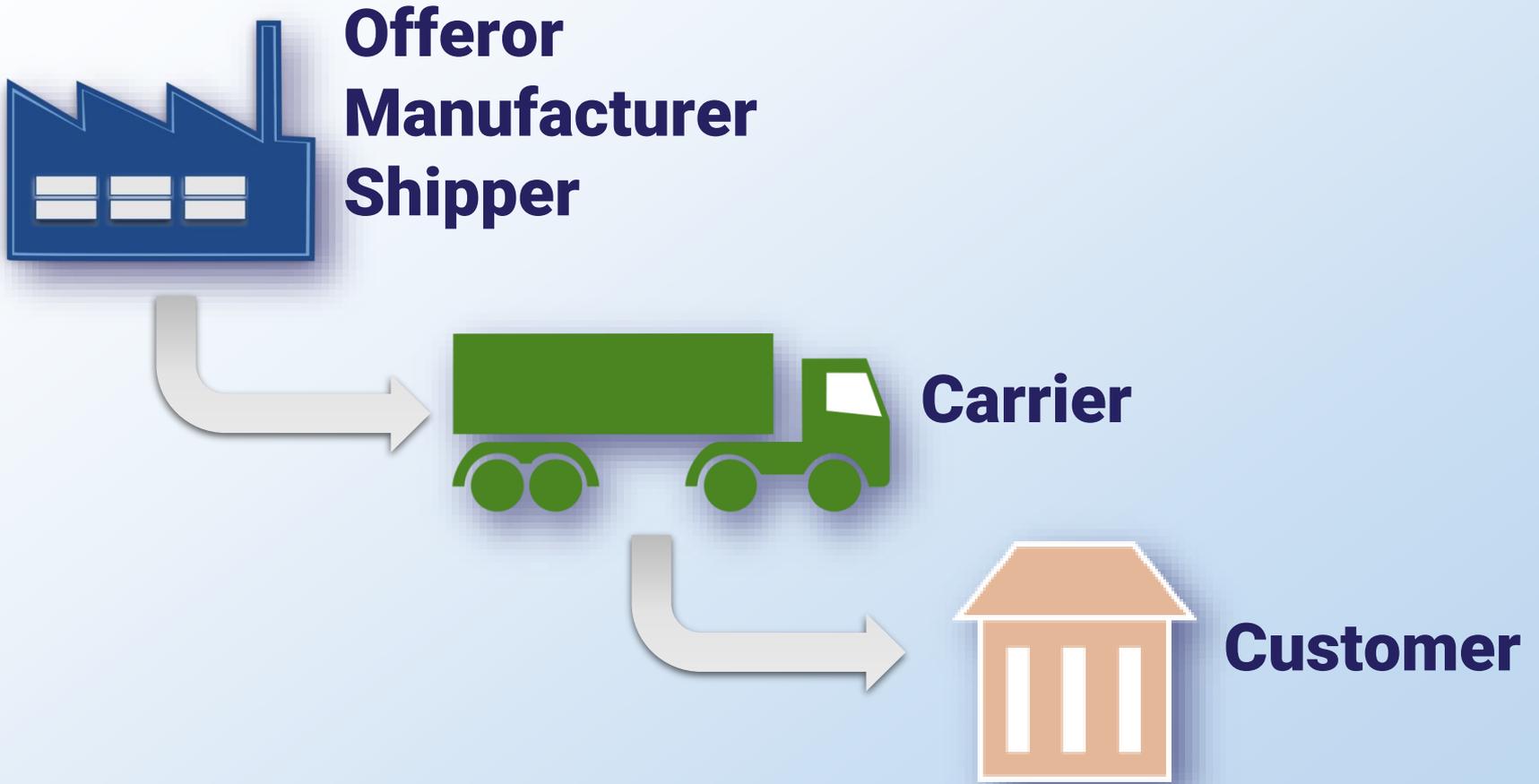
# Federal Regulations

- **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, *and***
    - **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



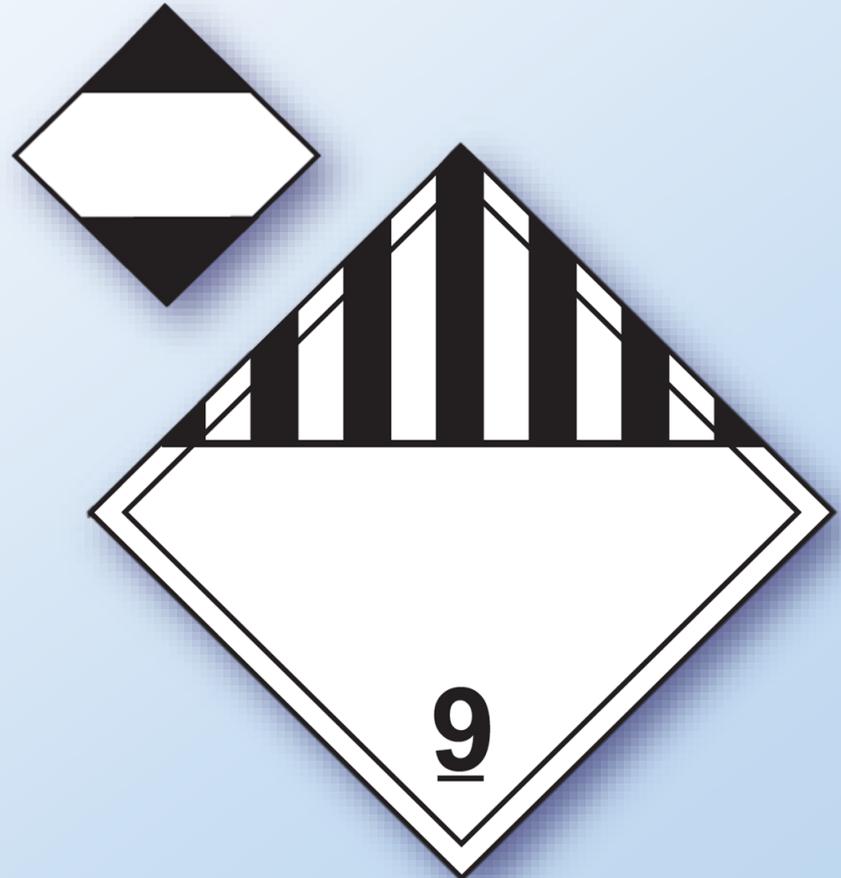
# Did You Know?

## 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

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

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

# Package Securement

## 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.**

# Package Securement

**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.**



# Package Securement

**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)**

# Package Securement

**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.**

CONTROL NUMBER		LICENSE NUMBER	ISSUE DATE	EFFECTIVE DATE	EXPIRATION DATE
CHP CARRIER NUMBER CA-		LOCATION	<input type="checkbox"/> Duplicate <input type="checkbox"/> Initial	<input type="checkbox"/> Replacement <input type="checkbox"/> Renewal	
<b>PROPERTY OF THE CALIFORNIA HIGHWAY PATROL (CHP)</b> The original valid license must be kept at the licensee's place of business as indicated on the license and a legible copy must be carried in any vehicle or combination transporting hazardous materials and must be presented to any CHP officer upon request. This license is NON-TRANSFERABLE and must be surrendered to the CHP upon demand or as required by law. A majority change in ownership or control of the licensed activity shall require a new license. This license may be renewed by submitting an application and appropriate fee to the CHP. Persons whose licenses have expired or are otherwise no longer valid must immediately cease the activity requiring a license. THERE IS NO GRACE PERIOD. For licensing information contact CHP, Commercial Vehicle Section at (916) 327-3210.					
LICENSEE NAME AND PHYSICAL ADDRESS <i>(only if different from below)</i>					
LICENSEE NAME AND MAILING ADDRESS		This carrier is on the special routing/safe stopping place mailing lists as indicated below: <input type="checkbox"/> (HMX) Explosives subject to Division 14, California Vehicle Code (CVC). <input type="checkbox"/> (HMPH) Poison Inhalation Hazard materials in bulk packagings subject to Division 14.3, CVC. <input type="checkbox"/> (HRCQ) Highway Route Controlled Quantity radioactive materials subject to Division 14.5, CVC.			
<small>Any person who dumps, spills, or causes the release of hazardous materials or hazardous waste upon any highway shall immediately notify the CHP or the agency having jurisdiction for that highway. The minimum fine for failure to make the appropriate notification is \$2,000.00. (CVC Section 23112.5)</small>					



# Questions?



**Commercial Vehicle Section**  
**(916) 843-3400**