

**CHAPTER 8**  
**INHALATION HAZARD TRANSPORTATION**  
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## CHAPTER 8

### INHALATION HAZARD TRANSPORTATION

1. GENERAL. The California Highway Patrol (CHP) is responsible for ensuring the safe transportation of materials poisonous by inhalation. This chapter provides definitions and a summary of applicable state and federal regulations.
  
2. SUMMARY OF APPLICABLE STATE REGULATIONS.
  - a. General Vehicle Code (VC) Rules. Vehicles transporting inhalation hazards are subject to all general and specific traffic laws as outlined in Title 13 of the California Code of Regulations (13 CCR) and the VC (See Annex 8-A-1).
  
  - b. Division 14.3 VC. This Division applies to the operation of any motor vehicle on any highway with a load meeting the following criteria:
    - (1) Vehicles transporting inhalation hazards in bulk (except when only residue remains); and
  
    - (2) The material requires a "Poison-Inhalation Hazard" (PIH) or "Toxic-Inhalation Hazard" (TIH) description on the shipping paper pursuant to Title 49 of the Code of Federal Regulations (49 CFR) 172.203(m).
  
  - c. Possession of Required Paperwork. Drivers of these vehicles are required to have in the vehicle, a copy of the Hazardous Materials Transportation License (HMTL) issued by the Department (see Annex 3-A-1), and a copy of Inhalation Routes and Stopping Places (either Highway Patrol Handbook [HPH] 84.5, Inhalation Hazard Shipments: Routes, Stopping Places, and Equipment; or 13 CCR Sections 1157-1157.20).
  
  - d. Vehicle Inspections. Drivers are required to conduct inspections of the vehicle prior to and during transit. Record of every inspection shall be made at the time of inspection. Inspections should be recorded on the CHP 148B, Inspection Record - Inhalation Hazards Transportation (see Annex 8-B-1), or any form containing all information requested on the CHP 148B, Inspection Record - Inhalation Hazards Transportation. Refer to Annex 8-A-1 for a listing of requirements for carriers subject to Division 14.3 V.C.
  
  - e. Exemption from Division 14.3 VC. Carriers transporting anhydrous ammonia (or any material poisonous by inhalation) which are not required by 49 CFR 172.203(m) to include PIH or TIH on the shipping papers, are not subject to Division 14.3 VC.

f. Title 13 CCR. Title 13 CCR, Sections 1157-1157.20 provide through routes, safe stopping places and information for carriers subject to Division 14.3 VC. In addition, 13 CCR, Sections 1160-1168 also apply to the transportation of inhalation hazards. These sections include specific vehicle safety equipment (13 CCR, Section 1162.1), prohibited transportation (13 CCR, Section 1163.1), and loading requirements (13 CCR, Section 1164).

3. SELECTION OF INHALATION HAZARDS ROUTES. The CHP is responsible for ensuring the safe transportation of bulk quantity shipments of inhalation hazards. This chapter describes procedures for developing regulations which prescribe routes, inspection stops and safe stopping places to be used by inhalation hazards transporters subject to Division 14.3 VC.

4. DEFINITIONS.

a. Inhalation Hazard. Any material which is known to be so toxic to humans when inhaled as to afford a hazard to health during transportation. These materials require a "Poison-Inhalation Hazard" or "Toxic-Inhalation Hazard" shipping paper description pursuant to 49 CFR, 172.203(m) or the same designation pursuant to 49 CFR, 172.102, Special Provisions, codes 1-6.

b. Inhalation Hazard Route. An approved route for the transportation of inhalation hazards subject to Division 14.3 VC. Approved routes are printed in 13 CCR, Sections 1157-1157.20 and Highway Patrol Handbook (HPH) 84.5, Inhalation Hazard Shipments: Routes and Stopping Places.

c. Inspection Stop. A place where a vehicle inspection may be safely performed. These may be safe stopping places or any other location designated as such in regulation. Required and optional inspection stops are printed in HPH 84.5, Inhalation Hazard Shipments: Routes and Stopping Places, as well as 13 CCR, Sections 1157-1157.20.

d. Safe Stopping Place. Any place where a driver may stop for food, fuel, or other reason provided the vehicle is attended at all times. Approved safe stopping places are printed in 13 CCR Sections 1157-1157.20 as well as HPH 84.5, Inhalation Hazard Shipments: Routes and Stopping Places.

e. Attended Vehicle. A vehicle is attended when the driver or person in charge is awake and occupies any part of it except the sleeper berth; or is within 100 feet of it and has an unobstructed view of the vehicle (see Section 32101[f] VC).

f. Bulk Packaging. Bulk packaging is defined as a packaging including a transport vehicle or freight container, but not a vessel or barge, in which hazardous materials are loaded with no intermediate form of containment and which has:

(1) A maximum capacity greater than 119 gallons (450 liters) as a receptacle for liquid; or

(2) A maximum net mass greater than 882 pounds (400 kg) and a maximum capacity greater than 119 gallons (450 liters) as a receptacle for a solid; or

(3) A water capacity greater than 1,000 pounds (454 kg) as a receptacle for gas.

g. Residue. The hazardous material remaining in a packaging, including a tank car, after its contents have been unloaded to the maximum extent practicable and before the packaging is either refilled or cleaned of the hazardous material, and purged to remove hazardous vapors.

## 5. RESPONSIBILITIES FOR ANNUAL REVIEW PROCESS.

a. Field Command Responsibilities. Each field command shall conduct an annual review of all inhalation hazard routes, inspection stops and safe stopping places located within its area of jurisdiction. **The annual review shall be conducted in the month of April.** Annual reviews shall include: a physical inspection of all routes, inspection stops, and safe stopping places, to determine if they continue to meet the criteria outlined in paragraphs 7-9 of this chapter. Areas should request deletion of locations which no longer meet the criteria, noting specific deficiencies, and forwarding the information to the responsible Division office. If new routes, inspection stops, or safe stops are required, follow the selection guidelines described in paragraphs 7-9 below, and forward all necessary information to the responsible Division office for review and approval. If an Area has no routes, inspection stops, or stopping places, or if no changes are being proposed, **a negative report is still required.** All reports shall be sent from the field command to the responsible Division office for review and approval.

b. Field Divisions. Field Divisions shall coordinate the annual review of routes, inspection stops, and safe stopping places conducted by the field commands. Field Divisions shall ensure all field commands have conducted the review, compiled the necessary information in accordance with paragraphs 7-9 of this chapter, and submitted a report in a timely manner. The completed surveys shall be sent by comm-net or departmental memorandum **from each Division to Commercial Vehicle Section (CVS) no later than May 15<sup>th</sup>.** All reports shall contain the name of a contact person within each Area. At the discretion of the Division Chief, and in coordination with concerned Area commanders, Division Motor Carrier Safety Unit

(MCSU) personnel may be used to survey routes, inspection stops, and safe stopping places.

c. Commercial Vehicle Section. As required by Section 32102 VC, CVS will review all requests for changes or deletions and, in consultation with the State Fire Marshall (SFM) and other officials having fire suppression responsibilities along proposed routes, will approve and revise regulations as necessary. CVS will revise, publish, and distribute changes to HPH 84.5; and is responsible for securing permission from owners of establishments prior to listing them as a safe stopping place using the CHP 114, Designation as Safe Stopping Place (see Annex 8-C-1). The CHP 114 also provides instructions to owners on how to request removal from the listing. These forms are sent out annually to ensure listed information is accurate.

6. PUBLIC REQUESTS FOR REGULATION CHANGES. All regulation changes (additions, deletions, or modifications of routes and stops) requested by local agencies, trucking firms, or other persons shall be referred to the responsible field command to evaluate the requested changes using the guidelines described in paragraphs 7-9 and prepare a direct response. There is no requirement to advise CVS of any decision made at the local level unless regulation changes are required. Requests for regulation changes approved at the local level may be forwarded to CVS through the responsible field Division during the annual review period or as necessary.

## 7. SELECTION OF ROUTES.

a. Route Changes. New routes recommended for inclusion in the regulations, or those routes being recommended for deletion shall be described in detail or drawn on existing route maps. A description of the proposed route and any intersections with a description of the established routes shall be included. An Area contact shall also be included with all requests for route changes.

b. Route Criteria. Detailed routing studies, transportation flow data, and congestion level data, etc., are not required from the Area. When proposals are received, CVS will determine the increase/decrease in risk associated with the proposal. Field commands should consider the following before forwarding a route proposal to Division.

(1) Highways and Streets. Routes designated by the Department may include any highway as defined in 360 VC.

(2) Through Highways. Only through highways or highways which join or intersect other highways permitting continuous through traffic movement shall be selected and designated as inhalation hazard routes.

(3) Newly-opened Routes. Any newly-opened highway shall be considered for possible designation as an inhalation hazard route. Consideration will be given to minimizing public exposure as weighted against the need to facilitate movement of bulk shipments of inhalation hazards. CVS will request information as needed from field commands in order to perform risk analysis.

(4) Access to Stopping Locations. Streets and highways shall not be selected or designated as inhalation hazard routes solely to permit access to loading or unloading points not on through routes. Pursuant to Section 32104(b) VC, vehicles are permitted to leave a designated route to access a local pick-up or delivery, or to travel to an inspection stop or safe stopping place.

c. Coordination with Other Agencies. When establishing new routes, the Department is required to “consult with” local fire officials, the trucking industry, the SFM, and inhalation hazard manufacturers as required in Section 32102(b)(2) VC.

(1) Local Fire Officials. When establishing new routes, field commands shall obtain concurrence from local fire officials in writing. Letters of concurrence must accompany the recommendation for route changes.

(2) Trucking Industry, SFM, and Inhalation Hazard Manufacturers. CVS shall arrange to furnish all interested parties (including those listed above) with copies of proposed regulations for comment.

## 8. SELECTION OF INSPECTION STOPS.

a. Suitable Locations. Inspection stops may include turnouts or other locations permitting off-roadway parking to inspect the vehicle or its load.

b. Selection Criteria for Inspection Stops. The following criteria should be considered:

(1) Proximity to Routes. Locations adjoining inhalation hazard routes are preferred. Other locations on paralleling or intersecting roads not over ¼ mile from an inhalation hazard route may be selected if no other location is available.

(2) Commercial Vehicle Enforcement Facilities (CVEF). All CVEFs shall be designated as inspection stops.

(3) Required Top-of-Grade Inspection Stops. Every effort shall be made to designate required inspection stops at the top of each grade.

(4) Roadside Rest Areas. Improved public roadside rest area contiguous to a highway is deemed to be part of the highway for the purpose of this article.

c. Recommendation Requirements. New inspection stops recommended for inclusion in the regulations, or those being considered for deletion shall be submitted to CVS during the annual review process, or at other times as necessary. Each recommendation for an inspection stop area must:

(1) Accurately identify the physical location either by mile-post marker, name of roadside rest area, or narrative necessary to clearly identify the stop. Directions from the route to the inspection stop should be included if necessary.

(2) Provide information regarding the availability of restroom facilities.

(3) Include the name of a contact person in the affected Area.

## 9. SELECTION OF SAFE STOPPING PLACES.

a. General. Since there are many types of inhalation hazards transported in varying quantities, no single separating distance from buildings or personnel can be specified. The guidelines provided here represent a practical compromise between reasonable safety and protection against all contingencies.

b. Suitable Locations. Full service truck stops are preferred locations. Other suitable locations include roadside cafés, service stations, and small truck stops.

c. Selection Criteria for Safe Stopping Places. The following criteria should be considered:

(1) Proximity to Routes. Safe stopping places shall be easily accessible from inhalation hazard routes via suitable streets and driveways. Locations requiring travel over narrow streets, lanes, or alleys, or which are more than  $\frac{1}{4}$  mile from inhalation hazard routes are not suitable. Locations adjoining inhalation hazard routes are preferred. Other locations on paralleling or intersecting roads not over one mile from an inhalation hazard route may be selected if no other location is available.

(2) Separation from Other Facilities. Under no circumstances shall any safe stopping place be selected that is located within 1,500 feet of a school or hospital. Six hundred (600) feet shall be the minimum distance separating such locations from any bulk petroleum plant having a storage capacity of 25,000 gallons or more.

(3) Available Parking Space. A safe stopping place shall have off-street parking space adequate to accommodate the other number and types of vehicles using the route on which it is located. On secondary highways, due consideration shall be given to locations with more limited parking.

(4) Storage of Flammable Materials on Premises. Approval of any location having gasoline or Liquefied Petroleum Gas (LPG) in above-ground storage tanks of 5,000 gallons capacity or more should be avoided, if reasonably possible.

(5) Distance Between Stops. Whenever possible, safe stopping places offering 24-hour service shall be located not more than 75 miles apart on any route. If such places do not exist, consideration should be given to selecting and designating inspection stops (see paragraph 8, Selection of Inspection Stops) to provide the desired 75-mile spacing between places where vehicles may be stopped.

d. Recommendation Requirements. New safe stopping places recommended for inclusion in the regulations, or those being considered for deletion, shall be submitted to CVS during the annual review process, or at other times if necessary. Each recommendation for a safe stopping place must:

(1) Accurately identify the physical location using narrative necessary to clearly identify the stop. Additionally, directions from the route to the safe stopping place shall be included. The mailing address, if different from the physical address, shall also be included.

(2) Provide information regarding the hours and availability of services.

(3) Contain the name and telephone number of the owner or manager of the safe stopping place.

(4) Contain the name of a contact person in the affected CHP Area.

## 10. REGULATIONS REVISION.

a. Frequency of Revisions. Regulations shall be revised by CVS as necessary to reflect the changing conditions.

b. Annual Review Data. Based on requests for change and/or recommendations from the annual review, CVS shall process and file revised regulations for adoption.

c. Interim Revisions. Field commanders may recommend revisions to the regulations at any time. Recommendations should follow the criteria listed above. CVS will process these interim recommendations on an as needed basis.

d. Copies of Proposed Regulatory Changes. In all cases CVS shall provide copies of the proposed changes to all Area commands, SFM, affected local fire and law enforcement agencies, manufacturers, transporters, and interested parties. Commanders should thoroughly review the Notice of Proposed Regulatory Action to ensure recommended changes have been included. All interested parties will be given the opportunity to comment on the proposed changes during the public comment period.

## ANNEX A

### REQUIREMENTS FOR CARRIERS SUBJECT TO DIVISION 14.3 VC

Requirements	Reference	Punitive
<b>License:</b> <ul style="list-style-type: none"> <li>· Copy of license to be carried in vehicle.</li> <li>· Hazardous Materials License.</li> </ul>	13 CCR 1160.4(g) 32000.5 VC	34506(b) VC 32002(b) VC
<b>Route and Stops:</b> <ul style="list-style-type: none"> <li>· Routes Traveled.</li> <li>· Stopping.</li> </ul>	32102(a) VC 32102(a) VC	32104(a) VC 32104(b) VC
<b>Inspections:</b> <ul style="list-style-type: none"> <li>· Inspection performed pretrip and en route.</li> <li>· Driver Inspection - brakes, systems, tires, equipment, etc.</li> <li>· Inspection to be recorded on CHP (or similar) form at the time of inspection. Form must be made available.</li> </ul>	32102(a) VC 32102(a) VC 32102(a) VC	32105(c) VC 32105(d) VC 32105(e) VC
<b>Equipment:</b> <ul style="list-style-type: none"> <li>· Brakes in good operating condition.</li> <li>· Steering, connection devices, &amp; lighting systems in good operating condition.</li> <li>· Tires in good condition, properly matched/inflated.</li> <li>· Fire extinguisher - 10 B:C (or 20 B:C if tank vehicle is transporting flammable or combustible liquids).</li> </ul>	32102 (a) VC 32102 (a) VC  32102 (a) VC 32102 (a) VC	32106(a) VC 32106(b) VC  32106(c) VC 13 CCR 1162.1 and 32106(d) VC
<b>Owner's Requirements:</b> <ul style="list-style-type: none"> <li>· Provide driver with maps and stopping places list; driver must be familiar with Division 14.3 VC.</li> <li>· Shipping documents required, carried in vehicle; statement from shipper concerning packaging, labeling, and marking required.</li> </ul>	32102 VC  32102 VC	32103 VC  13 CCR 1161.1
<b>Shipping Papers:</b> <ul style="list-style-type: none"> <li>· Contents of shipping documents specified (proper shipping name, classification, ID Number, quantity).</li> </ul>	32102 VC	13 CCR 1161

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# ANNEX C

## CHP 114 - DESIGNATION AS SAFE STOPPING PLACE

STATE OF CALIFORNIA  
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

### DESIGNATION AS SAFE STOPPING PLACE

CHP 114 (Rev. 7-03) OPI 062

**Instructions:** Make any necessary corrections to the information below. Sign and return the top copy to the address provided below. Please retain a copy for your records.

Business Name and Address:

The Business named to the left is being designated as a safe stopping place for trucks transporting:

Explosives

Inhalation Hazards

Attention--Owner/Manager:

The place of business named above has been selected as a safe stopping place for trucks transporting the type of hazardous materials indicated above. Pursuant to Divisions 14 and 14.3 of the California Vehicle Code, designations as such, will be placed in Title 13, California Code of Regulations, Division 2, Chapter 6. These regulations will also be published in handbook form (Highway Patrol Handbooks 84.3 and/or 84.5) and distributed to hazardous materials transporters for their use and guidance.

Designation of this location as a safe stopping place does not revoke your right to refuse entry to anyone, nor does it imply recommendation of any service or product offered. The Department may, at any time or for any reason, or upon your request, cancel the designation of your business as a safe stopping place. Our current files indicate the following information about your place of business:

Please make any necessary corrections to the information listed above, sign and return the top copy of this form to:

California Highway Patrol  
Commercial Vehicle Section, Bio-Terrorism  
P.O. Box 942898  
Sacramento, CA 94298-0001

Authorization:

I give permission to the California Highway Patrol to list my place of business as a Safe Stopping Place in Title 13, California Code of Regulations, pursuant to Division 14 and Division 14.3 of the California Vehicle Code.

OWNER OR MANAGER SIGNATURE	TELEPHONE NUMBER (INCLUDE AREA CODE)	DATE

Use previous editions until depleted

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