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**TECHNICAL
RELEASE**

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HAZARDOUS MATERIALS TRANSPORTATION

Trucks/Trucking: regulations

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www.forestresources.org/members/serpub/06-R-11.html

Loggers used to be able to transport fuel to logging sites with no special licenses or regulations. Since the Oklahoma City bombing and the September 11 attacks, however, there have been a lot of changes in the way fuel is transported. The Hazardous Materials Regulations apply to any transportation of fuel, not just to fuel in an amount equal to or greater than 119 gallons. However, the number of regulations and the burden on the shipper and carrier increases as the quantity of fuel transported increases.

The law states that **any fuel amounts exceeding or equal to 119 gallons** are subject to the Hazardous Materials Regulations. This means that any logger who transports liquids (as listed in the hazardous materials table) in bulk containers *with the capacity* of 119 gallons or more must register with the Pipeline & Hazardous Materials Safety Administration. (PHMSA). Diesel fuels—either off road or highway—are a Class III combustible hazardous material. Other hazardous liquids include gasoline, motor oil, and hydraulic fluids. Skid tanks, trailered tanks, or other tanks, whether hauled on trailers, in backs of pickups, on loader frames, haul units or log trailers, are subject to these regulations as bulk containers if the tank *capacity* is 119 gallons or more, whether a given tank is full or empty.

Who must register?

Any person who transports interstate or intrastate commerce hazardous materials must file a registration statement with PHMSA and pay an annual registration fee. This includes any quantity of hazardous materials that requires placarding.

Registration fees for 2006-2007

The fee for small business is \$275.00. On the application you will be asked to provide a six-digit NAICS number. The NAICS number for timber harvesting is 113310. This number is a classification code used by the Small Business Administration. Visit www.sbsa.gov/size/SIC2NAICSmain.html.

You may register by using one of the following methods:

- Register through the Internet at <http://hazmat.dot.gov/regs/register/register.htm>.
- Complete form DOT F 5800, and mail it with payment of the appropriate fee to the address given on the printed form.

Registration applications can be obtained from: US Department of Transportation, Hazardous Materials Registration Program, 400 Seventh Street SW, PHH-62, Washington DC 20590 Phone: 800/467-4922. The registration year extends **from July 1 of a year through June 30** of the following year.

What are the requirements for compliance?

- 1) Commercial driver's licenses are required to operate a commercial motor vehicle.
- 2) Hazmat endorsement – is required to transport placarded quantities of hazardous materials (see next page).
- 3) Driver must also have a tanker endorsement if material exceeds 1000 gallons.
- 4) The size of the vehicle is irrelevant if the quantity is over 119 gallons.
- 5) The tank is required to have the proper placard displayed according to the capacity of the tank.
- 6) A registration is required.
- 7) Shipping papers must also be within the driver's reach at all times.
- 8) Material Safety Data Sheets on material being transported must accompany load.
- 9) Emergency response information must be provided for each hazardous material listed on the shipping paper.

Hazardous Materials Security Plans

Companies required to register must also have written security plans including a risk assessment and measures to address personnel security, unauthorized access, and en route security. Companies that are required to have security plans must also provide security training to all hazmat employees. This training is one element of the training required for all hazmat employees in 49 CFR 172.704.

Questions and Answers for Drivers

Q. How do I get a Hazardous Material Endorsement (HME)?

You must have or qualify for a CDL.

- 1) Take and pass the HME knowledge test at a driver exam station.
- 2) Apply for or renew the CDL at a full-service exam station or driver's license renewal office.
- 3) Complete a Security Threat Assessment application. Submit your fingerprints at an authorized collection site. You must show two forms of identification, such as your driver's license and DOT medical card.

If you have an existing HME and no longer want the HME or don't qualify for an HME, make a written statement to that effect when you renew your CDL.

Q. I have an HME, but I don't use it. Do I have to be fingerprinted?

If you wish, you can drop the endorsement when you apply for another license. If you want to keep the endorsement, you must be fingerprinted before renewal.

Q. How much will the threat assessment cost?

The fee established by federal rule is \$94.

Q. Can I go to my local law enforcement office to be fingerprinted?

No. Your fingerprints must be collected by the authorized TSA agent in your state.

Q. I only have a CDL permit. Can I be fingerprinted now or must I wait until I've passed the road test?

You can be fingerprinted now. The sooner you start the process the better.

Q. What happens if I'm not fingerprinted at least 30 days before my CDL expires?

You can renew your CDL, but cannot be issued a HME until TSA gives approval. That means that you will not be able to transport HM loads in the meantime.

Q. What if I didn't get a renewal notice?

A renewal notice is mailed at least 60 days before expiration to the address on your CDL. If you don't receive the notice, you must still renew your CDL and comply with state and federal regulations. Remember, if you move, the law requires you to apply for a duplicate license within 30 days.

Q. How early can I renew?

A. As long as you are over age 21, you can renew your CDL at any time. Your new CDL will expire in four years from your birthday in the year you renew.

Q. If I pull a fuel tank with a pickup do I need a CDL?

A. Yes, if the tank is 119 gallons or more you are required to have a CDL no matter what vehicle is used. At least a Class C CDL is required.

Q. Who can I contact if I have questions?

A. For questions about the fingerprinting process, including the status of your application, contact TSA at www.hazprints.com, or call toll free 1-877/HAZ PRINT (1- 877/729-7746).

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