

Hazardous Materials Requiring An HM Safety Permit

The following hazardous materials transported in these quantities require an HM Safety Permit:

Radioactive Materials. A highway route-controlled quantity of Class 7 material, as defined in § 173.403 of 49 CFR.

Explosives. More than 25kg (55 lbs) of a Division 1.1, 1.2 or 1.3 material, or an amount of a Division 1.5 material requiring a placard under Part 172 Subpart F of 49 CFR.

Toxic by Inhalation Materials

Hazard Zone A. More than one liter (1.08 quarts) per package of a "material poisonous by inhalation," as defined in § 171.8 of 49 CFR, that meets the criteria for "Hazard Zone A," as specified in § 173.116(a) or § 173.133(a) of 49 CFR.

Hazard Zone B. A "material poisonous by inhalation," as defined in § 171.8 of 49 CFR, that meets the criteria for "Hazard Zone B," as specified in § 173.116(a) or § 173.133(a) of 49 CFR in a bulk packaging (capacity greater than 450 L [119 gallons] for liquids and a water capacity greater than 454 kg [1,000 pounds] for gas receptacles).

Hazard Zone C & D. A "material poisonous by inhalation," as defined in § 171.8 of 49 CFR, that meets the criteria for "Hazard Zone C," or "Hazard Zone D," as specified in § 173.116(a) or § 173.133(a) of 49 CFR, in a packaging having a capacity equal to or greater than 13,248 L (3,500 gallons).

Methane. A shipment of compressed or refrigerated liquid methane or liquefied natural gas or other liquefied gas with a methane content of at least 85 percent in a bulk packaging having a capacity equal to or greater than 13,248 L (3,500 gallons) for liquids or gases.

The Federal Hazardous Materials Safety Permit Program will phase in starting January 1, 2005, for intrastate, interstate, and foreign motor carriers transporting certain types and amounts of hazardous materials.

Federal Motor Carrier Safety Administration
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FIRST CLASS MAIL
POSTAGE & FEES PAID
FEDERAL MOTOR CARRIER
SAFETY ADMINISTRATION
PERMIT NO. G-846

The Hazardous Materials Safety Permit Program



U.S. Department of Transportation
Federal Motor Carrier Safety Administration

What Is The Hazardous Materials (HM) Permit Program?

On January 1, 2005, the Federal Motor Carrier Safety Administration (FMCSA) will begin to phase in the Federal Hazardous Materials Safety Permit (HM Safety Permit) Program for intrastate, interstate, and foreign motor carriers transporting certain types and amounts of hazardous materials. These carriers must maintain a certain level of safety in their operations and certify they have programs in place as required by the Hazardous Materials Regulations and the HM Permit regulations.



When Do I Need To Have My HM Safety Permit?

Motor carriers will be required to apply for an HM Safety Permit, or a Temporary HM Safety Permit, the next time they are scheduled to file the MCS-150 form AFTER JANUARY 1, 2005. All motor carriers, including intrastate carriers, that have not, prior to January 1, 2005, filed an MCS-150 form (Combined Motor Carrier Identification Report and HM Permit Application), must AFTER JANUARY 1, 2005, file an MCS-150B form to obtain an HM Safety Permit or a Temporary HM Safety Permit to transport the permitted hazardous materials.

Why Is FMCSA Requiring An HM Safety Permit?

Congress directed FMCSA to implement the HM permit program to produce safety and security benefits. FMCSA estimates that the rule will prevent seven HM truck-related crashes per year, saving approximately \$3.6 million annually. Increased security from the HM Safety Permit Program will reduce the chance these materials could be used in a terrorist attack.

What Are Carriers Required To Do To Obtain And Keep An HM Safety Permit?

Motor carriers are required to:

- Maintain a "satisfactory" safety rating in order to obtain and hold an HM Safety Permit.
- Maintain their crash rating, and their vehicle, hazardous material, or out-of-service rate so as to not be in the worst 30 percent of the national average as indicated in the Motor Carrier Management Information System.
- Have a satisfactory security program (and associated training) according to 49 CFR § 172.800.
- Maintain HM registration with the Research and Special Programs Administration.
- Develop a system of communication that will enable the driver to contact the motor carrier during the course of transportation and maintain records of these communications.
- Have a written route plan for radioactive materials in 49 CFR § 397.101 and for explosives in 49 CFR § 397.19.
- Perform a pre-trip inspection (North American Standard Level VI Inspection Program for Radioactive Shipments) for shipments containing highway route controlled Class 7 (radioactive) materials.

Motor carriers that violate permit requirements may have their HM Safety Permit suspended or revoked. There is a process for appealing decisions to suspend or revoke an HM Safety Permit.

My State Has An HM Safety Permit Program. Do I Still Need An HM Safety Permit From The Federal Government?

Yes. However, some State HM permit programs may be considered "equivalent." In these instances, FMCSA will issue a Federal HM Safety Permit if the State issued a State Permit. For a current list of State programs considered equivalent, please visit our Web site at www.fmcsa.dot.gov.

Is There A Federal Fee For The HM Safety Permit?

No. However, an equivalent State permit program may require a fee.

How Do I Apply For An HM Safety Permit?

New and existing motor carriers are required to submit an MCS-150B form to start the HM permit application process. New interstate HM carriers applying for a DOT number and an HM Safety Permit are also required to submit an MCS-150A (Safety Certification Application) form. All forms are on FMCSA's Web site, <http://usdotnumberregistration.com>, and may be submitted online, or may be obtained by calling toll-free, 1-800-832-5660.

Where Can I Get More Information About The HM Safety Permit?

The requirements for the HM Safety Permit are found at 49 CFR §§ 385.400, 390.3, and 390.19. You can contact FMCSA's Hazardous Materials division at 202-366-6121 or visit our Web site at www.fmcsa.dot.gov/safetyprogs/hm.htm.

