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News

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PHMSA Proposes Updating Hazmat Rules to Better Balance Safety Standards and Regulatory Requirements

Seeks Public Input on Initiative to Cut Red Tape, Streamline Process

WASHINGTON – In a move that could save the automotive industry nearly \$900,000 a year in costs while maintaining safety standards, the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (PHMSA) today issued a Notice of Proposed Rulemaking (NPRM) that proposes to end the special permit requirement for several widely-used auto parts normally installed during the manufacturing process.

Automakers and suppliers would still have to comply with standing conventional regulations for packaging, marking and transporting the assembly components, which are still considered hazardous materials capable of posing some risk to health, safety and property.

“Safety is PHMSA’s chief priority, but when rules or regulations become outdated or unnecessary, we must explore updating them to keep the hazmat transportation process efficient and effective,” said U.S. Transportation Secretary Ray LaHood.

PHMSA proposes to update the Hazardous Materials Regulations (HMR) so that a special permit would no longer be required for these items, which would reduce the regulatory burden and maintain the current level of safety. DOT issues special permits allowing a party to transport hazmat under unusual conditions not covered in the HMR while maintaining an equivalent level of safety.

Specifically, the NPRM states that auto manufacturers would no longer have to bear the burden of obtaining and maintaining an explosive (EX) number on hazmat shipping papers for air bag inflators, air bag modules, and seat-belt pretensioners (the part of the seatbelt that takes up the slack) prior to transporting them.

“EX” numbers denote approval to transport explosive items in accordance with the federal HMR, which governs transportation safety for such items. The activation devices in the airbag and seat-belt components are currently classified as explosives under the HMR.

PHMSA conducts ongoing reviews of special permits to determine if they can be incorporated into the broader HMR. Factors include safety record, related rulemaking and agency priorities.

“The president’s Regulatory Review Initiative calls precisely for this kind of action – reviewing existing rules for effectiveness, relieving the private sector of regulations where costs outweigh benefits, and encouraging feedback about these regulations from those most likely to be affected– the public,” said PHMSA administrator Cynthia Quarterman.

Comments on this NPRM can be posted online at the Federal eRulemaking Portal at <http://www.regulations.gov>. All comments on this notice must include the agency name and docket number {PHMSA-2010-0201 (HM-254)} for this notice at the beginning of the comment, and must be submitted within 60 days of publication in the *Federal Register*.

Comments are also being accepted by fax at 202-493-2251, and by hand delivery, at Docket Operations in Room W12-140 on the ground floor of the West Building, 1200 New Jersey Avenue, S.E., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Mailed comments should be addressed to: Docket Operations, U.S. Department of Transportation, West Building, Ground Floor, Room W12-140, Routing Symbol M-30, 1200 New Jersey Avenue, S.E., Washington, DC 20590.

The Pipeline and Hazardous Materials Safety Administration develops and enforces regulations for the safe, reliable, and environmentally sound operation of the nation's 2.5 million mile pipeline transportation system and the nearly 1 million daily shipments of hazardous materials by land, sea, and air. Please visit <http://phmsa.dot.gov> for more information.

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