



DEPARTMENT OF TRANSPORTATION  
HAZARDOUS MATERIALS REGULATIONS BOARD  
WASHINGTON, D.C. 20590

[ 49 CFR Part 177 ]

[Docket No. HM-24; Notice No. 69-13]

EXPLOSIVES ON VEHICLES IN  
COMBINATION

Notice of Proposed Rule Making

The Hazardous Materials Regulations Board is considering amending § 177.835 (c) of the Department's Hazardous Materials Regulations to permit class A explosives to be transported on one vehicle of a combination of motor vehicles when certain other hazardous materials are transported in another vehicle of the same combination.

Interested persons are invited to give their views on this proposal. Communications should identify the docket number and be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, 400 Sixth Street SW., Washington, D.C. 20590. Communications received on or before June 10, 1969, will be considered before final action is taken on the proposal. All comments received will be available for examination by interested persons at the Office of the Secretary, Hazardous Materials Regulations Board, both before and after the closing date for comments.

Section 177.835(c)(1) of the Hazardous Materials Regulations presently provides in part as follows:

No class A explosive may be loaded into or transported on any vehicle in any combination of vehicles if any vehicle in the same combination contains any explosive or other dangerous article which may not be loaded or stored with explosives class A under the provisions of § 177.848.

Section 177.848 contains a chart which indicates that a number of hazardous materials are prohibited from being loaded or transported in the same vehicle with class A explosives.

The Hazardous Materials Regulations Board has received two petitions requesting a relaxation of the complete prohibition quoted above. One petitioner states in support of this proposal that its adoption will permit expedited shipper-to-user service greatly reducing public exposure to small shipments of explosives which, at the present time, are frequently found being held at carriers' terminals or freight houses awaiting other compatible freight to provide economical loads. Another petitioner states that since there would be two vehicles involved, even

though in combination, they could be easily and quickly detached from each other.

Several types of hazardous materials present potential hazards of a degree sufficient to warrant exclusion from this proposal. Examples include initiating explosives, certain radioactive materials, poisons, and bulk liquid shipments of hazardous materials. The presence of these materials could result in a greater hazard to the public than would be acceptable, either as contributants to the accident potential, or as additional hazards to the environment following accidents.

It is also proposed to revise the first portion of paragraph (c) to state simply the present restriction on the number of vehicles permitted in a combination of vehicles when class A explosives are to be carried in the combination.

In consideration of the foregoing, it is proposed to amend paragraph (c) in § 177.835 as follows:

§ 177.835 Explosives.

(c) *Explosives on vehicles in combination.* Class A explosives may not be loaded into or carried on any vehicle of a combination of vehicles if:

- (1) More than two cargo carrying vehicles are in the combination;
- (2) Any full trailer in the combination has a wheel base of less than 184 inches;
- (3) Any vehicle in the combination is a tank motor vehicle which is required to be marked or placarded under § 178.823, or
- (4) Any other type of vehicle in the combination is loaded with any:
  - (i) Initiating explosive,
  - (ii) Packages of radioactive materials bearing "Yellow III" labels,
  - (iii) Class A and B poisons, or
  - (iv) Hazardous materials in a portable tank or a DOT specification 106A or 110A tank.

This proposal is made under the authority of sections 831-835 of title 18, United States Code and section 9 of the Department of Transportation Act (49 U.S.C. 1657).

Issued in Washington, D.C., on May 5, 1969.

F. C. TURNER,  
Administrator,  
Federal Highway Administration.

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