

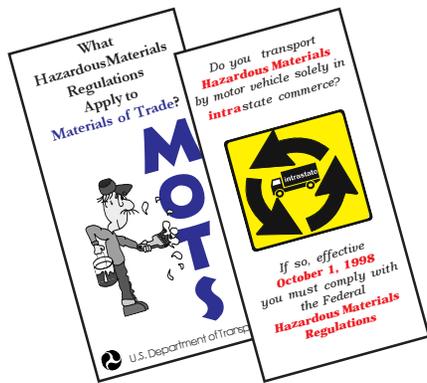
# Where can I learn more?

Visit RSPA's Hazmat Safety Homepage on the Internet to view the HMR, copies of the latest rulemakings, exemptions, clarifications of the regulations, hazmat publications and training schedules.

<http://hazmat.dot.gov>

Download or print related brochures for

**Materials of Trade** and **Intrastate Operations.**



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**Hazardous Materials**

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# What Hazardous Materials Regulations Apply to Agricultural Transportation?



U.S. Department of Transportation

The Hazardous Materials Regulations (HMR) set forth requirements that you must follow if you ship or transport a hazardous material in the course of your business. The HMR tell you:

- how to classify and package a hazardous material;
- how the package must be marked and labeled;
- how to complete a shipping paper;
- how to provide emergency response information that must accompany a hazardous material shipment;
- whether the vehicle in which a hazardous material shipment is being transported must be placarded and the specific placards that must be used; and
- about training requirements for persons who transport hazardous materials or prepare hazardous materials for shipment.

The HMR are published in Title 49, Code of Federal Regulations (49 CFR) Parts 171-180.

Many fertilizers, pesticides, soil amendments, and fuels used in farming are hazardous materials. If you transport a hazardous material on a public road in the course of your business, the HMR apply to you. Until October 1, 1998, the HMR apply directly to persons who ship or transport materials between states (interstate), but all States have adopted the HMR requirements (with some exceptions). After October 1, 1998, the HMR apply to transportation within a single state (intrastate).

## What Exceptions Apply Specifically to Farmers?

Section 173.5 of the HMR contains exceptions for farmers when they transport agricultural products between fields of their own farm or to or from their farm.



## Exceptions apply to “agricultural products”

Agricultural products are defined as hazardous materials used to support farming operations, such as a fertilizer, pesticide, soil amendment or fuel, but limited to materials that are:

- flammable and non-flammable gases (Class 2)
- flammable or combustible liquids (Class 3)
- corrosive materials (Class 8)
- miscellaneous hazardous materials (Class 9)
- oxidizers (Division 5.1)
- poisons (Division 6.1), or
- consumer commodities (ORM-D).

## Transporting Agricultural Products between Fields of Your Own Farm?

If you are a farmer transporting agricultural products other than gases (Class 2) between fields of the same farm using local roads, you need not comply with any of the requirements in the HMR. The agricultural products must be for use on your own farm. Your state must authorize these exceptions by law or regulation, and you must comply with all state requirements.

*NOTE: Gases (Class 2) such as liquefied petroleum gas (LPG) or anhydrous ammonia are not within this exception. However, other exceptions for LPG and anhydrous ammonia allowing the use of non-specification cargo tanks are provided in § 173.315(k) and 173.315(m) of the HMR.*

## Transporting Agricultural Products To or From Your Farm?

If you are a farmer transporting agricultural products to or from a farm, within 150 miles of the farm, you must comply with hazard communication (such as shipping papers and placarding) and incident reporting requirements of the HMR. However, you need not comply with the emergency response and training

requirements in the HMR. Your state may also authorize a different packaging than required by the HMR. In all cases, your state must authorize these exceptions by law or regulation, and you must comply with all state requirements.

You may use this exception only if:

- you are transporting no more than 502 gallons (1,900 L) of a liquid or gas agricultural product or 5,070 pounds (2,300 kg) of a solid agricultural product;
- you are transporting no more than 16,094 pounds (7,300 kg) of ammonium nitrate fertilizer in a bulk container and the ammonium nitrate is an oxidizer, Packing Group III; and
- you are a farmer who is an intrastate private motor carrier.

*NOTE: Packaged hazardous materials purchased from a retailer should be in packages that meet the HMR requirements. The retailer is responsible for providing shipping papers and placards when these are required.*

## What Other Exceptions May Apply to Farmers?

For anhydrous ammonia in nurse tanks, see § 173.315(m) of the HMR.

For flammable liquid petroleum products in cargo tanks or permanently mounted smaller tanks, see § 173.8 of the HMR.

For formulated liquid agricultural products manifolded to closed mixing systems, see § 173.5(c) of the HMR.

For “materials of trade” exceptions, see § 173.6 of the HMR and the separate Materials of Trade pamphlet.