

Chapter	Sec.
55. Intermodal Transportation	5501
57. Sanitary Food Transportation	5701
59. Intermodal Safe Container Trans- portation	5901
61. One-Call Notification Programs	6101

AMENDMENTS

2005—Pub. L. 109-59, title III, §3002(c), Aug. 10, 2005, 119 Stat. 1545, substituted “Public” for “Mass” in item for chapter 53.

1998—Pub. L. 105-178, title VII, §7302(b), June 9, 1998, 112 Stat. 482, added item for chapter 61.

CHAPTER 51—TRANSPORTATION OF HAZARDOUS MATERIAL

Sec.	
5101.	Purpose.
5102.	Definitions.
5103.	General regulatory authority.
5103a.	Limitation on issuance of hazmat licenses.
5104.	Representation and tampering.
5105.	Transporting certain highly radioactive ma- terial.
5106.	Handling criteria.
5107.	Hazmat employee training requirements and grants.
5108.	Registration.
5109.	Motor carrier safety permits.
5110.	Shipping papers and disclosure.
[5111.	Repealed.]
5112.	Highway routing of hazardous material.
5113.	Unsatisfactory safety rating.
5114.	Air transportation of ionizing radiation ma- terial.
5115.	Training curriculum for the public sector.
5116.	Planning and training grants, monitoring, and review.
5117.	Special permits and exclusions.
[5118.	Repealed.]
5119.	Uniform forms and procedures.
5120.	International uniformity of standards and re- quirements.
5121.	Administrative.
5122.	Enforcement.
5123.	Civil penalty.
5124.	Criminal penalty.
5125.	Preemption.
5126.	Relationship to other laws.
5127.	Judicial review.
5128.	Authorization of appropriations.

AMENDMENTS

2005—Pub. L. 109-59, title VII, §§7111, 7115(a)(2), (h), 7123(c), Aug. 10, 2005, 119 Stat. 1899, 1901, 1908, struck out item 5111 “Rail tank cars”, substituted “Special permits and exclusions” for “Exemptions and exclusions” in item 5117, struck out item 5118 “Inspectors”, added items 5127 and 5128, and struck out former item 5127 “Authorization of appropriations”.

2001—Pub. L. 107-56, title X, §1012(a)(2), Oct. 26, 2001, 115 Stat. 397, added item 5103a.

§ 5101. Purpose

The purpose of this chapter is to protect against the risks to life, property, and the environment that are inherent in the transportation of hazardous material in intrastate, interstate, and foreign commerce.

(Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 759; Pub. L. 109-59, title VII, §7101(b), Aug. 10, 2005, 119 Stat. 1891.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5101	49 App.:1801.	Jan. 3, 1975, Pub. L. 93-633, §102, 88 Stat. 2156.

The words “It is declared to be the policy of Congress”, “the Nation”, and “which are” are omitted as surplus.

AMENDMENTS

2005—Pub. L. 109-59 substituted “The purpose of this chapter is to protect against the risks to life, property, and the environment that are inherent in the transportation of hazardous material in intrastate, interstate, and foreign commerce” for “The purpose of this chapter is to provide adequate protection against the risks to life and property inherent in the transportation of hazardous material in commerce by improving the regulatory and enforcement authority of the Secretary of Transportation”.

SHORT TITLE OF 2005 AMENDMENT

Pub. L. 109-59, title III, §3001, Aug. 10, 2005, 119 Stat. 1544, provided that: “This title [see Tables for classification] may be cited as the ‘Federal Public Transportation Act of 2005’.”

Pub. L. 109-59, title VII, §7001, Aug. 10, 2005, 119 Stat. 1891, provided that: “This title [see Tables for classification] may be cited as the ‘Hazardous Materials Transportation Safety and Security Reauthorization Act of 2005’.”

SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105-178, title III, §3001, June 9, 1998, 112 Stat. 338, provided that: “This title [amending sections 5302 to 5305, 5307 to 5315, 5317 to 5320, 5323, 5325 to 5328, and 5333 to 5338 of this title and enacting provisions set out as notes under sections 301, 5301, 5307 to 5310, 5323, 5336, and 5338 of this title and sections 138 and 322 of Title 23, Highways] may be cited as the ‘Federal Transit Act of 1998’.”

SHORT TITLE OF 1996 AMENDMENT

Pub. L. 104-291, title II, §201, Oct. 11, 1996, 110 Stat. 3453, provided that: “This title [enacting section 5908 of this title and amending sections 5901 to 5903 and 5905 to 5907 of this title] may be cited as the ‘Intermodal Safe Container Transportation Amendments Act of 1996’.”

SHORT TITLE OF 1994 AMENDMENT

Pub. L. 103-311, title I, §101, Aug. 26, 1994, 108 Stat. 1673, provided that: “This title [amending sections 5102 to 5104, 5107, 5108, 5110, 5116, 5117, 5121, and 5125 to 5127 of this title and enacting provisions set out as notes under this section, sections 5103, 5112, and 5121 of this title, and section 307 of Title 23, Highways] may be cited as the ‘Hazardous Materials Transportation Authorization Act of 1994’.”

TRANSFER OF FUNCTIONS

For transfer of duties, powers, and authority of Research and Special Programs Administration under this chapter to the Administrator of the Pipeline and Hazardous Materials Safety Administration, see section 2(b) of Pub. L. 108-426, set out as a note under section 108 of this title.

FINDINGS

Pub. L. 109-59, title VII, §7101(a), Aug. 10, 2005, 119 Stat. 1891, provided that: “Congress finds with respect to hazardous materials transportation that—

“(1) approximately 4,000,000,000 tons of regulated hazardous materials are transported each year and approximately 1,200,000 movements of hazardous materials occur each day, according to Department of Transportation estimates;

“(2) the movement of hazardous materials in commerce is necessary to maintain economic vitality and meet consumer demands and must be conducted in a safe, secure, and efficient manner;

“(3) accidents involving, or unauthorized access to, hazardous materials in transportation may result in a release of such materials and pose a serious threat to public health and safety;