

**ARTICLE 38-03
HAZARDOUS MATERIALS**

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**CHAPTER 38-03-01
HAZARDOUS MATERIALS - GENERAL**

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38-03-01-01. Regulatory intent.

1. The hazardous materials regulations adopted in this article are designed to improve the safety and welfare of the general public by providing a framework of commonly accepted practices for the safe transport of commodities designated as hazardous material by the United States department of transportation.
2. These regulations are adopted without substantial modification so as to provide for the greatest flexibility in both interstate and intrastate movement of these materials.
3. These regulations are binding upon all shippers and carriers of hazardous materials into, through, and within the state of North Dakota, and shall be enforced by the North Dakota highway patrol.

History: Effective October 1, 1983.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 39-21-44

38-03-01-02. Adoption of regulations.

The following parts of Title 49, Code of Federal Regulations, including amendments, are adopted by reference:

1. Part 107 - Subparts F and G only - Hazardous Materials Program Procedures.
2. Part 171 - General Information, Regulations and Definitions.
3. Part 172 - Hazardous Materials Tables and Hazardous Materials Communications Regulations.
4. Part 173 - Shippers - General Requirements for Shipments and Packagings.
5. Part 177 - Carriage by Public Highway.
6. Part 178 - Shipping Container Specifications.
7. Part 180 - Qualification and Maintenance of Packagings.

History: Effective October 1, 1983; amended effective February 1, 1999; December 1, 2001.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 39-21-44

38-03-01-03. Amendments.

These regulations include such amendments as may be promulgated by the United States department of transportation.

History: Effective October 1, 1983.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 39-21-44