



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

February 13, 2026

Collin B. Mooney, MPA, CAE
Executive Director
Commercial Vehicle Safety Alliance
99 M Street, SE, Suite 1025
Washington, DC 20003

Reference No. 25-0057

Dear Mr. Mooney:

This letter is in response to your email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the description of hazardous materials on shipping papers. You are seeking clarification on the exception to entering the subsidiary hazard of a material on shipping papers when that material does not require a corresponding subsidiary hazard label, as stated in § 172.202(a)(3). Specifically, you ask whether a shipper or motor carrier is required to enter the subsidiary hazard class or division number on a shipping paper when the package used to transport the material is a bulk package (with a capacity over 1,000 gallons) requiring placards rather than labels.

The provision in § 172.202(a)(3) does not apply to bulk packaging requiring placards. This exception applies to situations where subsidiary hazard labels are not required in accordance with § 172.402—not situations where a placard may be used in place of a label as permitted by §§ 172.400, 172.512, or 172.514. As stated in § 172.202(a)(3), except for combustible liquids, the subsidiary hazard class(es) or subsidiary division number(s) must be entered in parentheses immediately following the primary hazard class or division number on the shipping paper. As PHMSA recognizes the wording in the exception in § 172.202(a)(3) may be causing confusion for shippers and enforcement personnel, this exception may be considered for revision in a future rulemaking.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

Matthew Nickels
Acting Director
Standards and Rulemaking Division

From: Adrienne Gildea <adrienne.gildea@cvsa.org>
Sent: Thursday, May 30, 2024 3:32 PM
To: Kelley, Shane (PHMSA)
Cc: Bill Reese; Collin Mooney
Subject: Letter to PHMSA Requesting Clarification on Entry of Subsidiary Hazard on Shipping Paper
Attachments: Letter to PHMSA Requesting Clarification on Entry of Subsidiary Hazard on Shipping Paper.pdf

Good afternoon Mr. Kelley,

Attached, please find a letter requesting clarification on the requirements for entering subsidiary hazard class or division numbers on shipping papers. Currently, § 172.202(a)(3) requires the primary hazard class or division for a hazardous material to be entered on the shipping paper as part of the required basic description. The section further requires that if the material has a subsidiary hazard class or division number, it be entered in parentheses immediately following the primary hazard. The section also states the subsidiary hazard class or division need not be included if a subsidiary label is not required. Specifically, CVSA requests PHMSA issue guidance on whether an offeror/shipper or motor carrier is required to enter the subsidiary hazard class or division number on a shipping paper when the package used to transport the material is a bulk package.

We appreciate your consideration of this request.

Thank you,
Adrienne



Adrienne Gildea, CAE
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Commercial Vehicle Safety Alliance

Improving commercial motor vehicle safety and enforcement

May 30, 2024

Mr. Shane Kelley
Director, Standards and Rulemaking Division (PHH-10)
U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
1200 New Jersey Ave. SE
Washington, DC 20590

RE: Clarification on the requirements in § 172.202(a)(3) regarding the entry of subsidiary hazard class or division numbers on a shipping paper

Dear Director Kelley,

The Commercial Vehicle Safety Alliance (CVSA) would like clarification from the Pipeline and Hazardous Materials Safety Administration (PHMSA) on the requirements for entering subsidiary hazard class or division numbers on shipping papers. Currently, § 172.202(a)(3) requires the primary hazard class or division for a hazardous material to be entered on the shipping paper as part of the required basic description. The section further requires that if the material has a subsidiary hazard class or division number, it be entered in parentheses immediately following the primary hazard. The section also states the subsidiary hazard class or division need not be included if a subsidiary label is not required. Specifically, CVSA requests PHMSA issue guidance on whether an offeror/shipper or motor carrier is required to enter the subsidiary hazard class or division number on a shipping paper when the package used to transport the material is a bulk package.

CVSA is a nonprofit organization comprised of local, state, provincial, territorial and federal commercial motor vehicle safety officials and industry representatives. The Alliance aims to prevent commercial motor vehicle crashes, injuries and fatalities and believes that collaboration between government and industry improves road safety and saves lives. Our mission is to improve commercial motor vehicle safety and enforcement by providing guidance, education and advocacy for enforcement and industry across North America.

Request

CVSA requests PHMSA issue guidance on whether an offeror/shipper or motor carrier is required to enter the subsidiary hazard class or division number on a shipping paper when the package used to transport the material is a bulk package. Bulk packages with capacity over 1,000 gallons can never be labeled. As these packages do not

require any labels, and subsidiary placards are not addressed in § 172.202(a)(3), would the entry of the subsidiary hazard be required on the shipping paper for cargo tanks and other bulk packages that are placarded?

Justification

CVSA has a cooperative agreement with the Federal Motor Carrier Safety Administration to provide required certification training for state and local law enforcement officers in the proper procedures to conduct roadside inspections of commercial motor vehicles. Currently, the training states that shippers and carriers are required to enter the subsidiary hazard class or division numbers on a shipping paper. However, this appears to conflict with the language in § 172.202(a)(3). To ensure the regulations are being enforced correctly and inspectors are receiving accurate training instruction regarding the requirements for entering subsidiary hazard class or division numbers on shipping papers, CVSA is requesting clarification from PHMSA. PHMSA’s guidance on this matter will ensure CVSA provides the correct guidance to the state and local officials conducting roadside inspections.

CVSA works to closely monitor, evaluate and identify potentially unsafe transportation processes and procedures as well as to help facilitate and implement best practices for enhancing safety on our roadways. Commercial motor vehicle safety continues to be a challenge and we need the involvement of all affected parties to help us better understand these issues and put into place practical solutions. We appreciate the agency’s commitment to safety and stakeholder involvement.

If you have further questions or comments, please do not hesitate to contact me at 202-998-1008 or collin.mooney@cvsa.org.

Respectfully,



Collin B. Mooney, MPA, CAE
Executive Director
Commercial Vehicle Safety Alliance