

**SECRETARIA
DE COMUNICACIONES
Y TRANSPORTES**



**REGULATION FOR THE
LAND TRANSPORT
OF HAZARDOUS MATERIALS
AND WASTES**

On the margin, the National Seal which says: United Mexican States.- Office of the Presidency of the Republic.

Carlos Salinas de Gortari, Constitutional President of the United Mexican States, in exercising faculties conferred by Part 1 of Article 89 of the Political Constitution of the United Mexican States and with foundation in Articles 1st., 110th., 159th., 171st., 175th., 182nd., 194th., Of the General Act of Ecological Balance and Environmental Protection; 1st., Parts V, VI, VII; 3rd., 5th., 8th., 9th., 16, 41, 48, 51, 134, 152, 153, 164, 166, 590, and other relative of the Act for General Means of Communication; 1st., 3rd., 4th., 5th., 13, 14, 17, 20, 119 and 181, of the Act on General Health; 37, 38, 39, of the Act of Planification; 1st., 2nd., 4th., 6th., 37, 40, 41, 60, 61, 62, 63, and 64 of the Act of Federal Firearms and Explosives; 1st., 2nd., 3rd., 4th., 29 and 30 of the Regulatory Act of Constitutional Article 27 in Nuclear Matters and 27, 29, 32, 33, 34, 36, and 39 of the Federal Organical Act on Public Administration, have seen fit to issue the following

REGULATION FOR THE LAND TRANSPORT OF HAZARDOUS MATERIALS AND WASTES

TITLE ONE GENERAL PROVISIONS

ARTICLE 1.- This ordinance has as an objective to regulate the land transport of hazardous materials and wastes.

This Regulation does not exercise compliance on the land transport of hazardous materials by the Mexican armed forces which is specifically regulated by other applicable normative provisions.

ARTICLE 2.- For the purposes of these Regulations, it will be understood that:

MOTOR CARRIER. : A person or Company duly authorized by the Secretariat to render public or private services of cargo autotransport.

VEHICLE MANUFACTURER OR REMANUFACTURER: A person or company that designs, manufactures, remanufactures or repairs vehicles for the transport of hazardous materials and waste.

CONSIGNEE.: A person or company to whom hazardous materials and wastes are being shipped.

RAILROAD COMPANY: Company or Organization authorized by the Federal Government to operate railroad transportation and auxiliary services.

SHIPPER.: A person or company contracting in its own name or for a third party transportation services for the transport of hazardous materials and wastes.

PACKAGE.: Any container destined to contain a product and that by its function is in direct contact with same, without loss of its physical, chemical or sanitary integrity.

PACKAGING: It is the outer cover of the primary container or package and it is used as protection.

HAZARDOUS MATERIAL: Dangerous substances, its residues, its packages, packagings and any other component that is part of the the load to be transported by the vehicles.

STANDARDS : Official Mexican Standards issued by competent agencies, adhered to what is provided for in the Federal Act on Metrology and Standardization.

PURGING: Action of emptying, evacuating or eliminating a fluid of any container or deposit used for the transport of hazardous materials or wastes.

HAZARDOUS WASTE: All those wastes, in any physical state, that due to their corrosive, toxic, poisonous, reactive, explosive, flammable, biologically infectious or irritant characteristics, represent a danger for the ecological or environmental balance.

SECRETARIAT: Secretariat of Communications and Transport.

DANGEROUS SUBSTANCE: Every element, compound, material or a mixture of all of them that independently of their physical state, may represent a potential risk for health, environment, consumer safety and properties of third parties; also under this definition, disease-causing biological agents are being considered.

RESIDUE: Hazardous substances, materials or wastes that remain in the containers, packages or packagings after their being emptied or unpacked.

CARRIER: Motor carrier and railroad company.

TRAIN: One or more engines moving on the railroad, with or without cars attached, showing placards.

UNIT: Vehicle integrated by a motorized unit and trailers for the transport of hazardous materials and wastes .

TRAILER UNIT: A vehicle for the transport of hazardous materials and wastes without means of self propulsion that must be towed by a motorized vehicle.

VENTING: Action to liberate gases and vapors accumulated on a vessel, tank or closed container.

Terms not included in this article and that the Secretariat of Social Development, the Secretariat or the corresponding agencies may apply, will be understood as defined within terms pointed out by laws, acts, regulations, official Mexican standards and in its case, by definitions derived from international instruments that have been ratified by the Mexican Government.

ARTICLE 3.- Without prejudice of the competence of other Federal Government Agencies, the Secretariat is responsible for the application of this regulation in land general means of communication, auxiliary and related services.

ARTICLE 4.- The Secretariat may subscribe agreements for the application of these Regulations with State Governments and municipalities within the terms of the Act of Planification.

ARTICLE 5.- For the transportation of hazardous materials and wastes through the general means of land communication, it is necessary to be so established by the Secretariat in the permit granted to the carriers, without prejudice of the authorizations granted by other Federal Government Agencies in compliance with legal applicable provisions. Operational conditions will be subject to provisions established in these Regulations.

ARTICLE 6.- Vehicles authorized for the transport of hazardous materials and wastes are prohibited to transport:

- I. Persons or animals;
- II. Food products for human or animal consumption, or articles for personal use; and
- III. Solid municipal waste.

When for economical reasons the carrier needs to transport other type of goods in these units, other than hazardous materials and wastes, carrier shall conform to the standard issued to that respect.

CHAPTER I CLASSIFICATION OF HAZARDOUS SUBSTANCES

ARTICLE 7.- Considering its characteristics, hazardous substances are classified in:

CLASS	DENOMINATION
1	Explosives.
2	Compressed, refrigerated, liquefied or pressure dissolved gases.
3	Flammable liquids.
4	Flammable solids.
5	Oxidizers and organic peroxides.

CLASS	DENOMINATION
6	Accute toxics (poisons) and infectious agents.

7	Radioactives.
8	Corrosives.
9	Miscellaneous.

ARTICLE 8.- Explosives or Class 1 include:

- I. **EXPLOSIVE SUBSTANCES:** Substances or substance mixtures, solid or liquid that spontaneously or through chemical reaction, may produce gases at such temperature, pressure and speed that may cause damages in the vicinity.
- II. **PYROTECHNICAL SUBSTANCES:** Substances or Substance mixtures destined to produce a heat, luminical, sound, gaseous, smoking or a combination of all above effects, as a consequence of chemical exothermal, self sustained, non detonating reactions.
- III. **EXPLOSIVE OBJECTS:** Objects containing one or several explosive substances

Depending on the kind of risk, Class I have 6 divisions as follows:

DIVISION	DESCRIPTION OF SUBSTANCES
1.1	Substances and objects that represent a hazard of total Mass explosion, meaning that the explosion spreads instantaneously to almost all the load.
1.2	Substances and objects that represent a projection hazard but not a total mass explosion hazard.

1.3	<p>Substances and objects which have a fire hazard and Small expansive wave effect, projection or both, but without risk of total mass explosion. In this division the following substances and objects are included:</p> <p>a) Those, whose combustion produces a considerable radiant heat ; or</p> <p>b) Those which burn one after another with small expansive wave effects, projection or both</p>
1.4	<p>Substances and articles which present no significant hazard.</p>
1.5	<p>Very insensitive substances which have a mass explosion hazard, but that it is very improbable its initiation or of transition of burning or detonation under normal conditions of transport.</p>
1.6	<p>Extremely insensitive articles which do not have a mass explosion hazard and comprises articles which contain only extremely insensitive detonating substances and which demonstrate a negligible probability of accidental initiation or propagation.</p>

ARTICLE 9.- Class 2 which comprises compressed gases, refrigerated, liquefied or pressure dissolved, are substances that:

- I. at 50°C has a vapor pressure greater than 300 kPa.
- II. Are completely gaseous at 20° C at a standard pressure of 101.3 kPa.

For transport conditions substances of class 2 are classified depending of its physical state as:

- Compressed gas, which under pressure is entirely gaseous at 20° C.
- Liquefied gas , which is partially liquid at 20° C.
- Refrigerated liquefied gas, which is made partially liquid because of its low temperature.
- Gas in solution, which is compressed and dissolved in a solvent

Taking in consideration the type of hazard, Class 2 is divided in:

DIVISION	DESCRIPTION OF SUBSTANCES
2.1	Flammable gases: Substances that at 20° C and a normal pressure of 101.3 kPa.: Are ignitable when in a mixture of 13% or less by volume with air or have a flammable range with air of at least 12% regardless of the lower flammable limit.
2.2	Non flammable, non toxic gases: Gases which are transported at a pressure not less than 280 kPa at 20° C or as a refrigerated liquid and which: a) Are asphixiant. Gases which dilute or replace the oxygen normally in the atmosphere; b) Are oxidizing. Gases which may, generally by providing oxygen, cause or contribute to the combustion of other material more than air does;or c) Do not come under the other divisions.

DIVISION	DESCRIPTION OF SUBSTANCES
2.3	<p>Toxic gases</p> <p>Gases which:</p> <ul style="list-style-type: none"> a) Are known to be so toxic or corrosive to humans as to pose a hazard to health; or b) Are presumed to be toxic or corrosive to humans because they have an LC 50 value equal to or less than 5,000 ml/m³ (ppm).

Note: Gases meeting the above criteria owing to their corrosivity are to be classified as toxic with a subsidiary corrosive risk.

ARTICLE 10.- Class 3 or flammable liquids, are mixtures or liquids containing solids in solution or suspension, which give off a flammable vapour at temperatures of not more than 60.5° C, closed cup test, or not more than 65.6° C, open cup test. Substances of this class are:

Liquids presenting an initial flash point of 35° C or less.

Liquids presenting a flash point (in closed cup) of less than 23° C and an initial flash point higher than 35° C.

Liquids presenting a flash point (in closed cup) higher or equal to 23° C, lower or equal to 60.5° C and an initial flash point higher than 35° C.

ARTICLE 11.- Class 4 or flammable solids, are substances liable to spontaneous combustion, as well as those which in contact with water emit flammable gases.

Depending on the type of risk, they are divided as follows:

DIVISION	DESCRIPTION OF SUBSTANCES
4.1	<p>Flammable solids</p> <p>Solids which, although not included under those classified as explosive, but that under conditions of transport are readily combustible or may cause or contribute to fire through friction</p>
4.2	<p>Substances liable to spontaneous combustion.</p> <p>Substances which are liable to spontaneous heating under normal conditions encountered in transport, or to heating up in contact with air, and being then liable to catch fire.</p>
4.3	<p>Substances which in contact with water emit flammable gases.</p> <p>Substances which, by interaction with water, are liable to become spontaneously flammable or to give off flammable gases in dangerous quantities.</p>

ARTICLE 12.- Class 5, Oxidizing substances and organic peroxides are substances that are defined and divided, taking in consideration their risk as:

DIVISION	DESCRIPTION OF SUBSTANCES
5.1	<p>Oxidizing substances.</p> <p>Substances which, while in themselves not necessarily combustible, may, generally by yielding oxygen, cause, or contribute to, the combustion of other material.</p>

5.2

Organic peroxides:

Organic substances which contain the bivalent –O-O- structure and may be considered derivatives of hydrogen peroxide, where one or both of the hydrogen atoms have been replaced by organic radicals. Organic peroxides are thermally unstable substances, which may undergo exothermic self-accelerating decomposition. In addition, they may have one or more of the following properties:

- a) Be liable to explosive decomposition;
- b) Burn rapidly;
- c) Be sensitive to impact or friction;
- d) React dangerously with other substances;
- e) Cause damage to the eyes.

ARTICLE 13.- Class 6, Acute toxic substances (poisons) and infectious agents taking in consideration their risk in:

DIVISION	DESCRIPTION OF SUBSTANCES
6.1	Acute toxics (poisons): These are substances liable either to cause death or serious injury or to harm human health if swallowed or inhaled or by skin contact. Compressed toxic gases (poisons) may be included in the class corresponding to "Gases".

6.2

Infectious agents: Substances containing viable micro-organisms including a bacterium, virus, parasites, fungus or a recombinant, hybrid or mutant, that are known or reasonably believed to cause disease in animals or humans.

ARTICLE 14.- Class 7, radioactives for purposes of transport, are all materials for which the specific activity is greater than 70 kBq/kg (2 nCi/g).

ARTICLE 15.- Class 8, corrosives, are either liquid or solid substances which, by chemical action, will cause severe damage when in contact with living tissue, or, in the case of leakage, will materially damage, or even destroy, other goods or the means of transport.

ARTICLE 16.- Class 9, miscellaneous, are those substances that during their transport present a danger not covered by other classes, and that also require a special handling during their transport since they represent potential hazards to health, environment, consumer safety and third party property.

A list of those substances will be shown in the respective Standard.

ARTICLE 17.- Identification of dangerous substances will adhere to the standard containing lists of hazardous substances and wastes more usually transported in accordance to its class, risk division, subsidiary risk, United Nations Organization assigned number, as well as special provisions to which transport and package and packaging methods will be subject.

TITLE TWO PACKAGES AND PACKAGINGS

CHAPTER I CHARACTERISTICS

ARTICLE 18.- Provisions contained in the present Chapter, are applicable to new And reusable packages and packagings, utilized for the transport of substances and wastes with the following exceptions:

- I. Packages and packagings containing substances of Class 7, radioactive, or their wastes, which will be subject to those standards issued by the Secretariat of Energy, Mining and State Industry through the National Nuclear Safety and Safeguards Commission;
- II. Packages and packagings used for the transport of compressed, refrigerated, liquefied or pressure dissolved gases of Class 2, which will be regulated by the respective standard; and
- III. Packages and packagings whose net mass exceeds 400 kg or which capacity exceeds 450 liters, which must adhere to provisions of the corresponding standards specific to intermediate bulk containers.

ARTICLE 19.- Packing and packaging of hazardous substances and wastes must comply with classification, type of package and provisions within the corresponding standards.

ARTICLE 20.- Packages and packagings containing hazardous substances of all classes or their residues, excepting Classes 1 and 2 and Divisions 5.2 and 6.2 are classified in the following groups:

- Group I.- For very dangerous substances.
- Group II.- For medium danger substances.
- Group III.- For minor danger substances.

Assignment of dangerous substances to each of the above groups will be indicated in the respective standard.

ARTICLE 21.- Packages and packagings must be inspected before its being filled and delivered for its transport this inspection should be performed by the shipper of hazardous materials or wastes to verify non existence of corrosion, foreign matter or any other type of damage.

ARTICLE 22.- Packages and packagings must be closed, so as to prevent the package as prepared for transport from any leakage which might be caused under normal conditions of transport, by changes in temperature, humidity or pressure.

ARTICLE 23.- It is prohibited to adhere to the outside of packages any incompatible substance to the one contained within, which may be susceptible of creating or increasing a risk.

ARTICLE 24.- Parts of packages or packagings which are in direct contact with dangerous materials or wastes should not be affected by chemical or other action of those substances.

ARTICLE 25.- Inner packages or packagings should be packed in an outer packaging in such a way that, under normal conditions of transport, they cannot break, be punctured easily nor produce leakage to the outer packaging.

ARTICLE 26.- Inner packages and packagings containing different hazardous substances or wastes that may react dangerously, should not be placed in the same outer package or packaging.

ARTICLE 27.- Hazardous substances and wastes should be contained only in packages or packagings with enough resistance to withstand internal pressure that may be developed under normal transport conditions and special circumstances, in compliance with the standard duly issued.

ARTICLE 28.- All empty packages and packagings that has contained a hazardous substance or its wastes or residues must be also be considered as dangerous.

ARTICLE 29.- Specifications and characteristics for construction and remanufacturing, as well as the test methods for packages or packagings will be established in the corresponding standards. Every package and packaging showing evidence of having structural changes, as compared by specifications stated in the standards, should not be utilized, or in due case, be reconditioned in such a manner that can surpass the applicable tests to the type of package or packaging in question.

ARTICLE 30.- Additional specifications for packages and packagings for the transport of Class 1, explosives and Divisions 5.2, organic peroxides and 6.2 infectious agents, will be established in accordance with the respective standard and to the classification to which Article 20 refers to.

CHAPTER II LABELING AND MARKING OF PACKAGES AND PACKAGING

ARTICLE 31.- With the purpose to provide identification from a distance the hazardous substances and wastes as well as to know their corresponding risk and also show the official designation for its transport, each package and packaging must have the corresponding label or labels for which design characteristics will be stated in the respective standards.

ARTICLE 32.- Every package or packaging to be used for the transport of hazardous substances or wastes must bear markings which are indelible, visible and legible that will certify their manufacture according to the respective standards.

TITLE THREE CHARACTERISTICS, SPECIFICATIONS AND EQUIPMENT OF MOTOR VEHICLES AND TRAILERS TO BE UTILIZED.

CHAPTER I CHARACTERISTICS AND SPECIFICATIONS

ARTICLE 33.- Every motor unit to be utilized for the transport of hazardous materials and wastes must comply with the additional specifications established in the corresponding standards.

ARTICLE 34.- Tank trucks, trailers, intermediate bulk containers and tank containers must be constructed or remanufactured according to the respective standards, which will establish structural elements, components and linings to be utilized which must be compatible with the hazardous materials and wastes to be transported and including such characteristics that they may not alter or modify their properties. These units must carry emergency elements and protective devices in order to offer maximum security in accordance with the respective standard.

ARTICLE 35.- Construction, remanufacturing and repairs of tank trucks, trailers, intermediate bulk containers and tank containers will be subject to a certification process and inspection in accordance with the standards.

ARTICLE 36.- The manufacturer will keep for a period of time determined by the Secretariat or in due case provide to the same or to the Secretariat of Industry and Commerce the log in relation to the tests performed to tank trucks, autotanks, intermediate bulk containers and tank containers in which it will indicate the obtained results as well as the hazardous materials and wastes for which the unit has been approved for transportation.

CHAPTER II IDENTIFICATION OF THE UNITS

ARTICLE 37.- For purposes of identification, the trucks, trailers, tank containers and intermediate bulk containers for the transport of hazardous materials and wastes, will bear a stainless metal plate affixed permanently on an easily accessible place for its inspection as well as to the format determined by the corresponding standard.

ARTICLE 38.- The trucks, trailers, tank containers and intermediate bulk containers must bear four placards to identify the hazardous material and waste being transported, according to what is established by the standards to be issued to that effect.

ARTICLE 39.- Trailers transporting or containing hazardous substances remnants or wastes must bear the corresponding placards and must be handled with the same safety requisites that are established for the fully loaded units. When remnants of two or more hazardous substances or wastes, the placards shall show two of the higher dangers in relation to the others and the symbol in the placard will show the greatest danger followed by the subsidiary risk.

ARTICLE 40.- Codes for identification for the type of intermediate bulk container, as well as the construction materials for it will be specified in the corresponding standard.

TITLE FOUR SAFETY CONDITIONS

CHAPTER I INSPECTION OF UNITS

ARTICLE 41.- Units transporting hazardous materials and wastes must be subject to periodical technical inspections as well as operational performed by the Secretariat or inspection units that are approved by the Secretariat, to attest compliance with specifications and safety provisions established within this Regulation, without prejudice of attributions of other agencies.

ARTICLE 42.- During technical inspections, the condition of the building materials, structural elements, components and accesories, will be established, verifying that they provide adequate safety. These inspections must be performed during programmed periods that will be established by the Secretariat and will be independent of those performed by other competent agencies.

ARTICLE 43.- During operational inspections, mechanical and maintenance conditions of the units will be inspected. Inspections will be performed whenever the Secretariat considers is pertinent in accordance with the standard to be issued. When an inspection can not be performed due to the intrinsic characteristic of the material or waste, anywhere but in its place of origin, the transporting company will drive the unit to its final destination, unload and proceed with the inspection.

ARTICLE 44.- In the case of the autotransport, cost of both inspections must be covered by the carrier.

When the railroad car is provided by the user, an inspection report must be presented. This, should be issued by inspection units approved by the Secretariat, in which the operational physical and mechanical conditions of the equipment are validated. The report will be verified by the railroad company.

ARTICLE 45.- Carriers have to, obligatorily carry a preventive and corrective maintenance logbook for their units to be presented on demand by the authority; as well as a register of the hazardous materials and wastes that have been transported.

The Secretariat may require such registers and controls in order to verify them at any given moment.

CHAPTER II LOAD CONDITIONING

ARTICLE 46.- Units transporting hazardous materials and wastes must be in optimum conditions of operation, physically and mechanically. The carrier must verify that the unit fits those conditions prior to the loading of hazardous materials and wastes.

ARTICLE 47.- For a safe transport of hazardous materials and wastes, these must be loaded, distributed and secured in the autotransport and railroad cars, according to the standards issued by the Secretariat, in such a manner that no harm will be produced due to vibration during transport, having also provided protection of the load from atmospheric conditions or any other source that may produce a reaction of the load.

Shipments that are not duly conditioned for its transport or properly loaded according to provisions of the corresponding standards, must not be accepted for its transportation by the carrier.

For the stowage and transportation of hazardous materials and wastes within their different ranks of risk, compatibility is to be considered, according to the corresponding standard.

ARTICLE 48.- Conditions for the transport of hazardous materials in limited quantities will be established within the corresponding standard according to the Class and Division of the product as well as to the quantities to be transported.

ARTICLE 49.- Units loaded with hazardous materials and wastes of various Clases, must carry information on emergency in transportation of each one of the materials, which must indicate actions to follow for each of them, as well as the registry of the unit location, which should be indicated on the bill of lading. In the case of transport of hazardous materials and wastes in limited quantities, it will be subject to what is provided in the preceding article.

CHAPTER III DOCUMENTATION

ARTICLE 50.- For the transportation of hazardous materials and wastes, the carrier and the shipper must have the corresponding authorizations that within its competence will be issued by the Secretariat and other agencies of the Federal Government, according to legal applicable provisions.

ARTICLE 51.- The manufacturer of substances or the generator of hazardous wastes must provide description and complementary information of the product to be transported, which shall be available for the carrier and the competent agencies that may require it.

ARTICLE 52.- During the transport of hazardous materials and wastes, the following documents are obligatory to be carried in the transporting unit:

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- I. Shipping documents of the hazardous material or waste;
 - II. "Emergency transportation information" which will guide actions to be followed in case of an accident regarding the kind of hazardous material or waste involved. This information must adhere to the standard to be issued by the Secretariat and should be placed on a visible place in the cabin of the vehicle, preferably in a folder containing all other documents;
 - III. A document certifying vehicle technical inspection;
 - IV. Shipper's manifest for delivery, transport and reception in the case of transport of hazardous materials and wastes, issued by the Secretariat of Social Development;
 - V. Authorization for the case of importing or exporting hazardous materials;
 - VI. Spills manifest of hazardous materials due to an accident;

When by any circumstance spills, infiltrations, discharges, or leakage of dangerous substances may occur, an immediate notice of the incident should be sent to the Secretariat of Social Development and deliver not later than 78 hours later the manifest referred to in this section; and

- VII. Any other document to be established in the standards.

In addition to what is stated above, the autotransport vehicle should carry the following documents:

- I. Federal Drivers Licence specific for the transport of hazardous materials;
- II. Driver's service hours logbook;
- III. Driver's logbook in relation to the daily vehicle visual inspection;
- IV. Individual or group insurance policy for the carrier and the shipper of hazardous material or waste; and
- V. A document certifying the cleaning and containment control of any residues from the unit whenever this operation is performed. Cleaning will be compulsory only for reasons of incompatibility of the products to be transported

ARTICLE 53.- When transporting directly from one point to another a shipment of hazardous materials or wastes of a single class on unitary trains the “ Emergency Transportation Information” must be attached to a full listing of codes and numbers of the cars being hauled.

**CHAPTER IV
NATIONAL EMERGENCY SYSTEM
FOR TRANSPORT OF HAZARDOUS MATERIALS AND
WASTES**

ARTICLE 54.- The Secretariat coordinated with the Secretariat of the Interior and all other competent agencies, state and municipal authorities as well as with manufacturers and industries producing, generating and using hazardous substances and wastes along with their carriers will incorporate the National Emergency System for the transport of hazardous materials and wastes.

ARTICLE 55.- The National Emergency System has, as an objective, provide technical and specific information regarding measures and actions to be adopted in case of accident or incident during the transport of hazardous materials and wastes. The System will work 24 hours a day.

ARTICLE 56.- When the System receives information regarding an emergency during the transport of hazardous materials and wastes, the Federal Highway and Ports Police, the State Government and municipal authorities will be notified immediately and in due case to the Secretariat of the Interior in order to activate the civil protection operatives in existence for the safeguard of the population, their property and the environment.

ARTICLE 57.- In case of an accident such as leakages, spills, fires and others, the motor vehicle unit driver or railroad crew must apply the safety measures as they appear on the “Emergency Transport Information” which design and contents should comply to the standard which for that purpose will be issued by the Secretariat.

**TITLE FIVE
TRANSIT ON FEDERAL JURISDICTION
MEANS OF COMMUNICATION**

**CHAPTER I
REGARDING MOTOR VEHICLES**

ARTICLE 58.- No vehicle transporting hazardous materials or wastes shall transport persons that are not related with the unit's operations.

ARTICLE 59.- No package, packaging, intermediate bulk container, tank container, tank truck or trailer shall be opened between points of origin and destination, except in cases when a risk is presumed, to which effect action must be taken according to provisions stated in the "Emergency Transport Information".

ARTICLE 60.- Vehicle drivers will abstain from making unjustified stops that are not scheduled in the service operation, as well as driving the vehicle through central areas of cities and towns using instead peripheral or alternate routes where these exist.

ARTICLE 61.- Units transporting hazardous materials and wastes, excepting those carrying substances of class 7 (radioactive) can not circulate in convoy.

ARTICLE 62.- It is prohibited to purge down the ground or unload on the road, streets or in installations not designed for that purpose; as well as unnecessarily venting of any type of hazardous material or waste.

ARTICLE 63.- In case of traffic congestion or traffic interruption, the driver of the unit should request to the personnel of traffic control, priority for the continuance of his route, showing them the documents covering the risk involved by the product being transported, in order for these personnel to adopt the necessary cautions.

ARTICLE 64.- In case of a major breakdown of the motor vehicle, the driver and the carrier company must replace the unit as soon as possible by another that fits the physical and mechanical operation requisites.

When due to the breakdown of the trailer it requires the load of hazardous materials or wastes to be transferred to another unit, this transfer will be performed in accordance to the dangerous substance manufacturer's indications or producer of dangerous wastes, who shall watch that the manouver is done under strict safety measures with duly trained and equipped personnel according to the characteristics and degree of danger of the material or waste in each case.

ARTICLE 65.- In order for a unit transporting hazardous material or wastes to park on a public road or street, the driver, in addition to fulfill with current traffic provisions, must ensure that the load is properly protected in conformity with the shipper's instructions, in order to avoid that unqualified personnel misshandle the equipment or load in such a manner that they may provoke accidents.

ARTICLE 66.- Units transporting Hazardous materials or wastes cannot, under any circumstances park the vehicle near flames or an open fire.

ARTICLE 67.- If during the transport of hazardous materials or wastes adverse weather conditions are present which may deter visibility to an approximate distance of 50 meters (164 ft.), such as electrical storms, heavy rain, dense fog and strong winds, the vehicle driver must park it, refraining from doing it on slopes inclines, curves, bridges, crossroads, intersections, tunnels, railroad crossings, near high voltage electrical instalations or any other place that may present a danger to the load.

ARTICLE 68.- When by any circumstance nighttime highway parking is required, safety triangles must be placed both in front and in the rear of vehicle at a distance that allows other drivers in the road to take necessary precaution.

CHAPTER II THE RAILROAD

ARTICLE 69.- The railroad company, for safety reasons, must establish trunk lines for traffic of trains transporting hazardous materials and wastes, such lines should be adequate to the gross weight capacity requirements of the units running over them in accordance to to the actual standards.

ARTICLE 70.- It is not allowed to transport by railroad the following: nitroglicerín or fuses, (with the exception of metal clad mercury fuses) Shaped charges and exolosive articles and substances (U.N. 081 translator's note); neither allowance will be for the transport of explosive substances that may react spontaneously.

ARTICLE 71.- Maximum weigths allowed on tracks must not be exceeded, making thus necessary to weight units at its origin, if possible on a certified private weighting station that is certified and authorized by competent authority.

ARTICLE 72.- Any unit showing damage that avoids continuance of safe travel, must be disengaged from service and parked in the nearest side track, with personnel to guard it, according to the established regulation.

ARTICLE 73.- When a unit is put on an out of service condition due to a damage or defect and the hazardous material being transported needs to be transferred, necessary measures must be taken to guarantee safety during the operation.

ARTICLE 74.- Trains transporting hazardous materials or wastes, must carry on board and on a permanent basis a railroad company supervisor who will attest and verify compliance of all appliccable regulating provisions.

ARTICLE 75.- Trains transporting hazardous materials or wastes will stop over the shortest time possible at stations and their segregation cannot be altered in the formation during the run.

ARTICLE 76.- It is prohibited to engage the convoy with additional cars carrying hazardous materials or wastes that are incompatible to the ones being transported, being mandatory to act according to the standards on that particular issue.

ARTICLE 77.- Units transporting hazardous materials or wastes, should not be engaged or hauled by trains assigned for transporting passengers, as well as for those assigned for mixed service.

ARTICLE 78.- All trains transporting hazardous materials or wastes, shall have operating radio communication systems and the whole crew shall have portable radio communication equipment.

ARTICLE 79.- No package, packaging, trailer unit or tank car which contains hazardous materials or wastes must be opened between points of origin and destination, except in the cases where a risk is presumed, to which effect such action should be performed according to what is provisioned for in the " Transport Emergency Information".

ARTICLE 80.- Under adverse weather conditions, such as heavy rain, dense fog and very strong winds, before starting a train transporting hazardous materials or wastes, a scout engine shall be sent ahead to alert about possible dangers that may be found during the run.

ARTICLE 81.- When approaching stations or terminals, trains carrying hazardous materials or wastes, shall keep a running speed not to exceed 25 km/hr within the limits of the yard.

ARTICLE 82.- In order to avoid breakdowns en route, on ascending grades greater than 1.5% and curves greater than 10° , speeds should be established by taking in consideration the minimum speeds recommended by the engine manuals.

ARTICLE 83.- The railroad company must identify by special plate signals those points where speed restrictions apply for the transit of those trains transporting hazardous materials or wastes, incoming or leaving surrounding metropolitan areas or zones, cities or towns located along the trunk lines on which they run.

ARTICLE 84.- Unitary trains hauling units loaded with hazardous materials or wastes must run at a speed lower than 30 km/hr at entering a metropolitan area, city or town.

ARTICLE 85.- Trains transporting hazardous materials or wastes, must travel with their air brake system, hand brake system and braking hardware in good operational conditions. In the case that such trains must travel through topographical areas presenting steep grades and critical curve ratios, dynamic brakes must be in optimum operational conditions.

ARTICLE 86.- Trains transporting hazardous materials or wastes must employ peripheral rail lines, when available, to avoid transit within urban areas.

ARTICLE 87.- Hazardous materials and wastes can only be transported on freight trains. In the case of explosives of Class 1, consignments not exceeding 5000 kg per train will be permitted.

ARTICLE 88.- Trains transporting hazardous materials and wastes must have the necessary protection equipment and safety accessories to guarantee security during its transit over trunk lines, according to what is established within applicable regulations.

ARTICLE 89.- Units loaded on private rail lines reported ready to be hauled, must be moved to their destination as soon as possible, where they will be sent immediately to the rail line to be unloaded.

ARTICLE 90.- Extreme precaution must be exerted when moving cars containing hazardous materials and wastes, avoiding rough handling, especially where steering and engaging are concerned. In case of the unit being parked, it will be performed in conditions guaranteeing its safety.

ARTICLE 91.- Unit coupling maneuver must be performed at a speed not exceeding 5 km/hr.

ARTICLE 92.- Tank cars loaded with compressed, refrigerated, liquefied or pressure dissolved gases, of Class 2, that are removed from the in transit train to be engaged to other kind of equipment or else, to be directly engaged to other car tanks loaded with similar materials, must be handled in series of no more than 2 cars.

ARTICLE 93.- The handling of units containing hazardous materials and wastes for purposes of parking, loading and unloading, must be performed outside of populated areas.

ARTICLE 94.- Cars bearing placards indicating the presence of hazardous material or waste, must be affixed on the train according to what is established on the segregation table for the placement of cars as provided in the actual regulations.

ARTICLE 95.- When yard movements are to be performed with units carrying hazardous materials or wastes, two cars must be used, as protection between the engine and the car or cars containing those materials, and they should be handled with air brakes fully engaged.

ARTICLE 96.- Empty hauling units used for the transport of hazardous materials and wastes must not be parked on yard rails. Once unloaded will be sent immediately to their owners and in the case that the units are property of the railroad company, they will be sent to their maintenance installations.

ARTICLE 97.- The handling and movements of units in private sidings, must be performed preferably during daylight hours whenever reception or dispatch of units containing hazardous materials or wastes.

ARTICLE 98.- When operating on industrial private rail lines, the units to be moved must be verified and assure that the units to be moved are completely disengaged from the loading and unloading fixed devices of the installations.

ARTICLE 99.- Before moving the units on private rail lines, company personnel must verify the various safety measures established by the plant for the handling of units that contain hazardous materials or wastes.

ARTICLE 100.- The railroad company must verify that the physical conditions of the private rail lines lend security for the performing of manouvers and movements with hauling units containing hazardous materials and wastes.

ARTICLE 101.- Units delivered to private sidings, must be locked and secured by applying hand brakes to each, and when existing, a derailer will be placed on the track.

**TITLE SIX
HAZARDOUS WASTES**

**CHAPTER I
SPECIAL PROVISIONS FOR THE TRANSPORT
OF HAZARDOUS WASTES**

ARTICLE 102.- Transport of hazardous waste must be performed according to the kind of dangerous substance involved and that originated the waste. Also, to establish the final destination of the waste, will observe compliance with standards to be issued to this end.

ARTICLE 103.- Land transport companies producing any hazardous residue due to washing or decontamination of units used for the transport of any dangerous substance, must adhere to the standards issued by the Secretariat of Social Development.

ARTICLE 104.- Final destination of the generated residue will be clearly shown on the bill of lading and competent authorities will be duly notified.

ARTICLE 105.- The owner or generator of the hazardous residue is responsible and obligated to ascertain that the transport system and installations of the consignee are both authorized by the Secretariat of Social Development.

ARTICLE 106.- For the transport of hazardous wastes, the unit must comply with the manufacturing specifications for the transport of such materials determined by the corresponding standard.

ARTICLE 107.- For the purpose of classification of hazardous wastes provisions established in the standard shall be followed.

ARTICLE 108.- In order to transport hazardous wastes, these must be compatible, according to the corresponding standard, and waste control logbooks should be kept.

**TITLE SEVEN
RESPONSIBILITIES**

**CHAPTER I
AUTOTRANSPORT AND RAILROAD**

ARTICLE 109.- Carriers, shippers or generators of hazardous materials or wastes, must contract an insurance policy covering damages that may suffer third parties on their properties or persons, environment, general means of communication and any other damage that may be caused by the load in case of accident, according with the respective regulations.

ARTICLE 110.- Insurance must cover the transportation of the freight from the moment this leaves the shipper or manufacturer's installations until the freight is received at the installations indicated as the final destination.

ARTICLE 111.- The minimum insurance coverage for each risk of the hazardous material or waste in each case, will be determined jointly by the authorities involved, according to the type of material being transported, quantity or volume of the freight and the amount of damage that may be produced by the materials.

ARTICLE 112.- Insurance referred to in previous Articles, do not limit the liability of the carrier and the shipper or manufacturer of the hazardous material or waste.

ARTICLE 113.- Loading and unloading operations of hazardous materials and wastes shall be the responsibility of the shippers and consignees respectively, for which they must take necessary measures to avoid accidents.

TITLE EIGHT ON SPECIFIC OBLIGATIONS

CHAPTER I CONCERNING THE SHIPPER AND CONSIGNEE OF HAZARDOUS MATERIAL AND WASTE

ARTICLE 114.- For the transport of hazardous materials and wastes, the shipper will have the following obligations:

- I. Verify that the packages and packagings containing hazardous materials and wastes comply with the manufacturing specifications as established in the corresponding standards;
- II. Identify the materials and wastes with the corresponding labeling and placarding on the packages, packagings and transport units in accordance with the corresponding standards;
- III. Provide the “Transport Emergency Information” of the material or waste to be transported according to what is stipulated in this Regulations, which should be in compliance to the Standard to be issued by the Secretariat;
- IV. Point out to the carrier about the necessary safety equipment that must have in case of an accident, according to the hazardous material or waste being transported;
- V. Provide the carrier with with the placards that must be affixed in the units, according to the type of hazardous material or waste to be transported;
- VI. Hazardous materials and wastes must not be shipped on units that are not in compliance with the specifications provided for in these Regulations or in the corresponding Standards;
- VII. Have the necessary authorizations and all required complementary documents to avoid delays in the transport of the load;
- VIII. Provide the consignee with all the relative data concerning the shipment of hazardous materials and wastes, with the objective that the consignee may, at any given moment, make a follow up of the materials or wastes being transported, plus indications leading to estimated date and time of arrival to its destination; and

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- IX. Verify that loading manouvers are handled exclusively by trained personnel, properly provided with adequate protective equipment.

ARTICLE 115.- Consignees for shipments of hazardous materials and wastes must unload them in specially designated areas, under conditions guaranteeing safety, verifying that unloading manouvers are handled exclusively by trained personnel, properly provided with adequate protective equipment.

ARTICLE 116.- Once having received notification, the consignee must immediately proceed to carry out the corresponding procedures for the units to be carried to his installations, or else to pick up and transport the hazardous materials and wastes to his warehouse.

ARTICLE 117.- When so stipulated, users of units belonging to carriers, must return them free of residues of substances or hazardous wastes, being the carrier the one demanding compliance of this requisite.

CHAPTER II CONCERNING AUTOTRANSPORTATION

ARTICLE 118.- Within their spectrum of responsibilities, the shipper, the carrier and the consignee, must be coordinated so that the hazardous material and waste is transported in conditions of safety and reaches its destination on time and in good condition. To that effect the following measures must be adopted:

- I Agree, in writing, on previous control methods between shipper, carrier and consignatory;
- II. Transportation will be performed with all the documents as indicated in these Regulations, along with any other deemed necessary so that the shipment is made on an expedite manner, in order to avoid the detention of the unit for lacking of any document. Transport documents must also indicate the date and name of location of load transfer;

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- III. Determine the transport route presenting better safety conditions. If transfers are to be made, necessary measures must be taken so that the hazardous materials and wastes in transit are carefully handled, without delays and adequate surveillance in order to avoid damages to health and surrounding environment; and
 - IV. Supervise that in the case of transfers, these are performed according to what is indicated in these Regulations.

ARTICLE 119.- Motor carriers of hazardous materials and wastes must comply with the following:

- I. Accept only shipments that comply with all document requirements, identification system and other provisions contained in these Regulations.
- II. Do not load hazardous materials or wastes that in their packages, packagings or containers show cracks, drippings or leakages;
- III. Protect the load from environmental conditions or any other source that might produce a reaction of the hazardous material or waste being transported;
- IV. Verify that the unit has no sharp or cutting elements or others that may damage the load, endangering health or the lives of people, properties and the environment;
- V. Having units adequate for the hazardous materials and wastes to be transported, by complying with the characteristics and specifications set forth in these Regulations;
- VI. Place on a visible place the company's name, address and telephone of the company; along with the telephones of the National Emergency System for the Transport of Hazardous Materials and Wastes;
- VII. Supervise that the driving of their vehicles dedicated to the transport of hazardous materials and wastes is entrusted only to drivers who have the appropriate federal drivers licence;
- VIII. Provide training and updating for knowledge to their personnel and drivers, according to what is established in these Regulations;

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- IX. Affix the corresponding placarding provided by the shipper; and
 - X. Record statistics on accidents and incidents suffered by their units and personnel in order to determine actions tending to reduce their probabilities.

DRIVERS

Article 120.- Every driver transporting hazardous materials and wastes will be obligated to:

- I. Have a federal licence issued by the Secretariat, authorizing him to operate vehicles carrying hazardous materials and wastes.
- II. Pass training and updating courses for their knowledge.
- III. Perform a daily visual inspection of the vehicle, to ensure that it is in good mechanical and operational conditions, and in case of irregularities, report them to the carrier according to the standard to be issued;
- IV. In case of accidents, must perform the safety indications as stipulated in the emergency in transportation information, remaining in the place in care of the vehicle and its load, if this does not represent danger to his person until corresponding aid arrives at the site; and
- V. Place on a visible part of the cabin of the motor vehicle, preferably inside a folder, all required documentation in this Regulations.

CHAPTER III CONCERNING THE RAILROAD

THE RAILROAD COMPANY

ARTICLE 121.-The railroad company is obligated to:

- I. To guarantee the safety of trains running on trunk line routes selected for the transport of hazardous materials and wastes, running periodical inspections to the infrastructure as established in the actual regulation;
- II. Maintain engines assigned for the service of unitary trains and direct trains, in optimum operational conditions, for the purpose of fast and efficient hauling.
- III. Supervise that the assigned crews for the operation of trains observe work days not to exceed a maximum of 11 working hours and that they have a minimum period of 12 hours rest before their next shift;
- IV. Move the unitary and direct trains rapidly, scheduling their runs with preferential right of way over any other kind of trains with the exception of passenger trains.
- V. Establish the necessary procedures to coordinate activities with shippers and consignees so that the transport is performed under safety conditions that may guarantee delivery of the hazardous material or waste to its final destination in good conditions;
- VI. Take the necessary measures to avoid that the packages, packagings, containers and cars are not damaged during transport due to rough movements or engagements of the trains;
- VII. Provide the necessary crews at interdivisional connections and ensure that they are ready to take control of the trains, immediately after they reach their connecting points;
- VIII. Affix the cars with the the placards provided by the shipper;

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- IX. Provide all the necessary parts and components for the maintenance of the engines and cars;
 - X. Demand that the crews and officers obtain the federal railroad licence, watching that these document remains valid;
 - XI. Demand that crews, prior to be en route are subject to the required medical check up to guarantee that their phisical state in general is fit for the adequate development of their activities;
 - XII. Provide the Secretariat every semester, an inventory of equipment of their own as well as that in exchange, being utilized for the transport of hazardous materials and wastes that is actually in operation in the network, including maintenance records and general characteristics of the units;
 - XIII. Verify that units not belonging to the company comply with the establishe regulations for the transport of hazardous materials and wastes; and
 - XIV. Provide training and updating to personnel intervening in the trains operation in compliance to what is established in these Regulations.

TRAIN CREWS

ARTICLE 122.- Train crews are obligated to:

- I. Adhere to the provisions contained in the actual regulations;
- II. Verify that cars loaded with hazardous materials or wastes bear the proper placarding;
- III. Demand delivery of the shipping guides that must contain the proper data as indicated in the respective Standard;
- IV. Verify within the shipping documents, prior to opening the doors of the car, wether if inside of it, there may be liquefied gases (butane or propane) or any other material classified as flammable of Class 2 that may be leaking or emitting vapors, in order to take the cautions indicated in these Regulations for each particular case and avoid approaching with flames or flares at opening the car;

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- V. Provide assistance to perform the periodical inspection to physical condition and the safety devices installed in the units of the trains, independently of duties imposed by the actual regulation;
 - VI. Verify, prior to start the run, that they have the regulatory tools and materials, in order to perform in replacement of damaged parts that may be replaced en route;
 - VII. Keep a record of the marshaling of the train, indicating the position held by cars transporting hazardous materials and wastes. When additions or change of positions of units is performed en route due to service requirements, such changes must be duly registered in such record; and
 - VIII. Carry the valid federal licence and the document vouching for the medical check up performed by the competent authority, at the beginning of the run.

YARD CHIEFS

ARTICLE 123.- Yard chiefs are obligated to:

- I. Request the presence of a transportation officer to supervise crews activities during their run, as well as the presence of a hauling unit inspector to verify train units prior to departure of the train;
- II. Supervise that the hauling of units carrying hazardous materials or wastes is preferably carried out in unitary or direct trains; and
- III. In terminals with existing unit classification installations that utilize gravity displacement systems, they must avoid this classification system on those units carrying hazardous materials and wastes;

STATION CHIEFS

ARTICLE 124.- Station chiefs are obligated to:

- I. Not receive shipments of firearms, munitions, explosives or matches, without competent authorities corresponding permit;
- II. Verify that the cars to be used for transportation of hazardous materials and wastes are in optimum physical conditions in order to avoid that the materials being transported may accidentally fall off the unit, causing an explosion, fire or any other kind of damage;
- III. Not receive goods classified as hazardous materials or wastes until the necessary unit or units for their transport are available, being strictly forbidden to stock these type of materials on the railroad installations;
- IV. Accept cargo only when the packages and packagings are duly identified with their labels and placards in compliance with what is established in these Regulations;
- V. Not allow unloading of cars carrying hazardous materials and wastes on station yards, auxiliary tracks, escapes or side lines, as well as on other lines that are outside the industries that do not have adequate protection for the handling of these materials and wastes;
- VI. Request a hauling unit inspector to perform a thorough inspection of the pneumatic and mechanical system of the unit to certify that its operational conditions are adequate, when receiving requests for hauling units containing hazardous materials or wastes;
- VII. Verify that the packages and packages of hazardous materials and wastes comply with the provisions of these Regulations;
- VIII. Assign personnel to exclusively take over the surveillance of units containing hazardous materials or wastes, from the moment the loading is completed until they are carried to their destination;

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- IX. Not receive steel cylinders containing liquefied gas, acetylene or oxygen if their valves are not protected by a safety cap;
 - X. Provide information to users that so requested it with information about the adequate packages and packagings to be used for hazardous materials and wastes that they may want to transport, indicating also the method in which those packages and packagings must be identified and labeled.

BUILDERS, REMANUFACTURERS OR LEASING COMPANIES OF HAULING UNITS

ARTICLE 125.- The builder or remanufacturer of hauling units to be utilized in the transport of hazardous materials and wastes, will deliver to the buyer design and construction specifications of the purchased unit and a certificate that guarantees that the materials used comply with the required specifications for its destined use according to the corresponding regulation.

ARTICLE 126.- Leasing companies are obligated to provide users requiring transportation of hazardous materials and wastes, units that are free of residues in compliance to the established regulation by competent authorities, and showing the user the certification vouching the work done.

ARTICLE 127.- Leasing companies must provide the Secretariat each semester with a record of the transportation equipment for hazardous materials and wastes in operation, including their maintenance records and general characteristics.

CHAPTER IV CONCERNING TRAINING

ARTICLE 128.- The personnel and drivers participating in the transport of hazardous materials and wastes must have an specific training and updating of knowledge.

ARTICLE 129.- Training programs must be approved by the Secretariat and the Secretariat of Labor and Social Prevision and in order to present these programs to these Secretariats, must be vouched by the manufacturer or generator of hazardous substances.

ARTICLE 130.- Motor vehicle carriers shall take the necessary measures to ensure compliance of the previously mentioned obligation, also, they are obligated to watch that driving of their vehicles dedicated to the transport of hazardous materials and wastes is only entrusted to those drivers that have the federal driving licence.

ARTICLE 131.- Knowledge training and updating to the personnel and drivers intervening in the transport of hazardous materials and wastes, will be performed through theoretical and practical courses. These must be carried out in specially designed centers that count with training programs authorized for this purpose by the Secretariat, in coordination with the Secretariat of Labor and Social Prevision. In the case of the driver, passing the training courses and knowledge updating, will be a requisite for obtaining the specific federal driver licence to operate vehicles transporting hazardous materials and wastes.

ARTICLE 132.- The railroad company must ensure that crew personnel assigned to train services, have the indispensable knowledge for the safe handling of hazardous materials and wastes being transported, for which purpose shall establish the training and updating programs that are necessary to vouch their technical aptitude. Updating programs must be taught every three years, issuing the corresponding certificates in every case.

ARTICLE 133.- The railroad company after having authorization from the Secretariat, must publish and permanently actualize publications, guides and manuals containing information pertaining the handling of hazardous materials and wastes with the objective that their personnel have the necessary elements for the handling of them and know the measures to be adopted in the case of accidents.

TITLE NINE PENALTIES

ARTICLE 134.- Violation to provisions of these Regulations will be sanctioned as follows:

- I. Fines will be applied up to the equivalent of one thousand days of minimum wage salaries for violations to articles 5^o, 17,20,31,32,35,36,37,38,39,40,41,44,45,46,48,49,50,51,52,53,57,58,61,63,65,69,71,74,75,78,80,81,82,83,84,86,88,89,90,91,92,94,95,96,97,99,102,103,104,105,110,114,116,117,118,119,120,122,123,124,125,126,127,128,129,130,131,132 and 133.
- II. Fines will be applied up to the equivalent of two thousand days of minimum wage salaries for violations to articles 18,21,22,23,24,25,26,27,28,29,30,33,34,42,43,47,60,64,67,68,72,73,85,93,98,100,101,106,115 and 121.
- III. Fines will be applied up to the equivalent of five thousand days of minimum wage salaries for violations to articles 6^o,19,59,62,66,70,76,77,79,87,108 and 109.
- IV. Fine will be applied up to the equivalent of one hundred days of minimum wage salary for violations to speed limits established in the applicable articles of these Regulations and on the provisioned matters.

In the event of a continuing one, violation to these Regulations will be penalized with fines up to twice the corresponding amounts of the first violation.

ARTICLE 135.- For the purpose of imposing administrative penalties, the actual minimum daily salary currently applied in the Federal District as a base to impose fines, on the date the violation occurred. To determine the penalty, economical condition and intentional character of the infractor will be taken in consideration, if the violation is a continuing one and the seriousness of the violation.

ARTICLE 136.- Application of economical and administrative penalties referred to in previous articles, will be independent of the ones applied by other agencies of the Federal Government exercising their function nor the civil or penal liability.

TRANSITORY

FIRST.- These Regulations will be effective next day of its publication in Official Register; excepting for Articles 131 and 132, which will be in effect ninety days after publication of these Regulations, so that the Secretariat and the Secretariat of Labor and Social Prevision, provide the necessary elements for the structuring of training and updating knowledge programs for the personnel and drivers participating in the transport of hazardous materials and wastes.

SECOND.- Railroad federal licence for personnel that participates in the transport of hazardous materials and wastes, will be mandatory in a period of 180 days from the publication of these Regulations in the Official Register.

THIRD.- All provisions opposing this ordainment are derogated.

FOURTH.- The Secretariat in coordination with all competent authorities and involved parties, will, within the 60 days as of the publication of these Regulations, will carry out the action program for the development of the respective standards.

Issued at the residence of the Federal Executive Power, in Mexico City, Federal District, at twenty nine days of the month of March, of nineteen hundred and ninety three.

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