



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

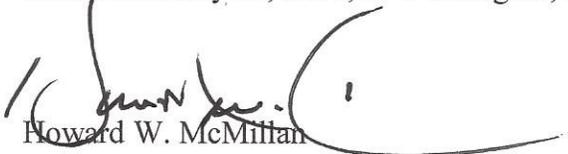
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION'S NOTICE REGARDING THE IMDG CODE AND ICAO TECHNICAL INSTRUCTIONS

The U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) understands that many offerors and carriers of hazardous materials in international transport are currently adhering to requirements in the recently-adopted 2017-2018 International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO Technical Instructions) and Amendment 38-16 of the International Maritime Dangerous Goods Code (IMDG Code). Currently, the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) only authorize offerors and carriers to use the 2015-2016 versions of the standards.

PHMSA hereby gives notice that while it decides whether or not to adopt the 2017-18 versions of these international standards, it will not take enforcement action against any offeror or carrier who is using the 2017-2018 versions of these standards when all or part of the transportation is by air with respect to the ICAO Technical Instructions, or all or part of the transportation is by vessel with respect to the IMDG Code. In addition, PHMSA will not take enforcement action against any offeror or carrier who offers or accepts for domestic or international transportation by any mode packages marked or labeled in accordance with the 2017-18 versions. PHMSA will permit the use of either the 2015-2016 standards or the newer standards until this notice is rescinded or otherwise modified. This enforcement discretion will be exercised by the Federal Aviation Administration, the Federal Motor Carrier Safety Administration, the Federal Railroad Administration, and the Pipeline and Hazardous Materials Safety Administration.

This notice is limited to the use of the standards incorporated by reference in 49 C.F.R. §§ 171.7(t) and (v). This notice does not affect any other obligations that offerors or carriers may have under the HMR or any other applicable law.

Issued February 27, 2017, in Washington, D.C.


Howard W. McMillan
Acting Deputy Administrator
Pipeline & Hazardous Materials Safety Administration