



U.S. Department
of Transportation

Research and
Special Programs
Administration

MAY 24 1999

173.22
400 Seventh Street, S.W.
Washington, D.C. 20590

Mr. Mark Welch
Becton Dickinson Healthcare Systems
1 Becton Drive
Franklin Lakes, New Jersey 07417

Ref. No. 99-0126

Dear Mr. Mark Welch:

This is in response to your letter dated May 11, 1999, requesting clarification on the training requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether a shipper is responsible for verifying that a carrier or driver is qualified to transport hazardous materials.

The answer is no. Each hazmat employer must certify that each of its hazmat employees has been trained and tested within 90 days of employment as required by § 172.704(c) and (d). The responsibility for providing training remains with each hazmat employer. The terms "hazmat employer" and "hazmat employee" are defined in § 171.8.

I hope this information is helpful. If we can be of further assistance, please contact us.

Sincerely,

Hattie L. Mitchell, Chief
Regulatory Review and Reinvention
Office of Hazardous Materials Standards



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**BECTON
DICKINSON**

Tuesday, May 11, 1999

Mr. Edward T. Mazzullo
Director's Office Hazardous Materials
US DOT/RSPA
(DHM-10)
400 7th St SW
Washington, DC 20590-0001

Dear Mr. Mazzullo,

I am writing in hopes of getting a letter of interpretation on shippers/consignee responsibility or liability in verifying that a carrier and the individual driver is qualified to transport HazMats. Are we as a shipper responsible to check drivers picking up and delivering Haz Mats for proper certification?

Thank you in advance for your help.

Respectfully,

Mark Welch
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