

WARNING—MAY CONTAIN EXPLOSIVE MIXTURES WITH AIR—KEEP IGNITION SOURCES AWAY WHEN OPENING

(6) A motor vehicle or mechanical equipment's ignition key may not be in the ignition while the vehicle or mechanical equipment is stowed aboard a vessel.

(b) All equipment used for handling vehicles or mechanical equipment must be designed so that the fuel tank and fuel system of the vehicle or mechanical equipment are protected from stress that might cause rupture or other damage incident to handling.

(c) Two hand-held, portable, dry chemical fire extinguishers of at least 4.5 kg (10 pounds) capacity each must be separately located in an accessible location in each hold or compartment in which any motor vehicle or mechanical equipment is stowed.

(d) "NO SMOKING" signs must be conspicuously posted at each access opening to the hold or compartment.

(e) Each portable electrical light, including a flashlight, used in the stowage area must be an approved, explosion-proof type. All electrical connections for any portable light must be made to outlets outside the space in which any vehicle or mechanical equipment is stowed.

(f) Each hold or compartment must be ventilated and fitted with an overhead water sprinkler system or fixed fire extinguishing system.

(g) Each hold or compartment must be equipped with a smoke or fire detection system capable of alerting personnel on the bridge.

(h) All electrical equipment in the hold or compartment other than fixed explosion-proof lighting must be disconnected from its power source at a location outside the hold or compartment during the handling and transportation of any vehicle or mechanical equipment. Where the disconnecting means is a switch or circuit breaker, it must be locked in the open position until all vehicles have been removed.

(i) *Exceptions.* A motor vehicle or mechanical equipment is excepted from the requirements of this subchapter if the following requirements are met:

(1) The motor vehicle or mechanical equipment has an internal combustion

engine using liquid fuel that has a flash point less than 38 °C (100 °F), the fuel tank is empty, and the engine is run until it stalls for lack of fuel;

(2) The motor vehicle or mechanical equipment has an internal combustion engine using liquid fuel that has a flash point of 38 °C (100 °F) or higher, the fuel tank contains 418 L (110 gallons) of fuel or less, and there are no fuel leaks in any portion of the fuel system;

(3) The motor vehicle or mechanical equipment is stowed in a hold or compartment designated by the administration of the country in which the vessel is registered to be specially suited for vehicles. *See* 46 CFR 70.10–1 and 90.10–38 for U.S. vessels;

(4) The motor vehicle or mechanical equipment is electrically powered by wet electric storage batteries; or

(5) The motor vehicle or mechanical equipment is equipped with liquefied petroleum gas or other compressed gas fuel tanks, the tanks are completely emptied of liquid and the positive pressure in the tank does not exceed 2 bar (29 psig), the line from the fuel tank to the regulator and the regulator itself is drained of all trace of (liquid) gas, and the fuel shut-off valve is closed.

(j) Except as provided in §173.220(d) of this subchapter, the provisions of this subchapter do not apply to items of equipment such as fire extinguishers, compressed gas accumulators, airbag inflators and the like which are installed in the motor vehicle or mechanical equipment if they are necessary for the operation of the vehicle or equipment, or for the safety of its operator or passengers.

[Amdt. 176-43, 62 FR 24742, May 6, 1997, as amended at 65 FR 58630, Sept. 29, 2000; 66 FR 45384, 45385, Aug. 28, 2001; 70 FR 56099, Sept. 23, 2005]

PART 177—CARRIAGE BY PUBLIC HIGHWAY

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AUTHORITY: 49 U.S.C. 5101–5127; 49 CFR 1.53.

Subpart A—General Information and Regulations

§ 177.800 Purpose and scope of this part and responsibility for compliance and training.

(a) *Purpose and scope.* This part prescribes requirements, in addition to those contained in parts 171, 172, 173, 178 and 180 of this subchapter, that are applicable to the acceptance and transportation of hazardous materials by private, common, or contract carriers by motor vehicle.

(b) *Responsibility for compliance.* Unless this subchapter specifically provides that another person shall perform a particular duty, each carrier, including a connecting carrier, shall perform the duties specified and comply with all applicable requirements in this part

and shall ensure its hazmat employees receive training in relation thereto.

(c) *Responsibility for training.* A carrier may not transport a hazardous material by motor vehicle unless each of its hazmat employees involved in that transportation is trained as required by this part and subpart H of part 172 of this subchapter.

(d) *No unnecessary delay in movement of shipments.* All shipments of hazardous materials must be transported without unnecessary delay, from and including the time of commencement of the loading of the hazardous material until its final unloading at destination.

[Amdt. 177–79, 57 FR 20954, May 15, 1992, as amended by Amdt.177–86, 61 FR 18933, Apr. 29, 1996]

§ 177.801 Unacceptable hazardous materials shipments.

No person may accept for transportation or transport by motor vehicle a forbidden material or hazardous material that is not prepared in accordance with the requirements of this subchapter.

[Amdt. 177–87, 61 FR 27175, May 30, 1996]

§ 177.802 Inspection.

Records, equipment, packagings and containers under the control of a motor carrier, insofar as they affect safety in transportation of hazardous materials by motor vehicle, must be made available for examination and inspection by a duly authorized representative of the Department.

[Amdt. 177–71, 54 FR 25015, June 12, 1989]

§ 177.804 Compliance with Federal Motor Carrier Safety Regulations.

Motor carriers and other persons subject to this part must comply with 49 CFR part 383 and 49 CFR parts 390 through 397 (excluding §§ 397.3 and 397.9) to the extent those regulations apply.

[68 FR 23842, May 5, 2003]

§ 177.810 Vehicular tunnels.

Except as regards Class 7 (radioactive) materials, nothing contained in parts 170–189 of this subchapter shall be so construed as to nullify or supersede regulations established and published