

### § 180.3

(b) Any person who performs a function prescribed in this part is considered subject to the regulations of this subchapter when that person—

(1) Makes any representation indicating compliance with one or more of the requirements of this part; or

(2) Reintroduces into commerce a packaging that bears markings indicating compliance with this part.

[Amdt. 180-2, 54 FR 25032, June 12, 1989, as amended by Amdt. 180-2, 56 FR 27877, June 17, 1991]

#### § 180.3 General requirements.

(a) No person may represent, mark, certify, sell, or offer a packaging or container as meeting the requirements of this part, or a special permit pertaining to this part issued under subchapter A of this chapter, whether or not the packaging or container is intended to be used for the transportation of a hazardous material, unless it is marked, maintained, reconditioned, repaired, or retested, as appropriate, in accordance with this part, an approval issued thereunder, or a special permit issued under subchapter A of this chapter.

(b) The representations, markings, and certifications subject to the prohibitions of paragraph (a) of this section include:

(1) Identifications that include the letters “DOT”, “MC”, “ICC”, or “UN”;

(2) Special permit, approval, and registration numbers that include the letters “DOT”;

(3) Test dates displayed in association with specification, registration, approval, or exemption markings indicating conformance to a test or retest requirement of this subchapter, an approval issued thereunder, or a special permit issued under subchapter A of this chapter;

(4) Documents indicating conformance to the testing, inspection, maintenance or other continuing qualification requirements of this part; and

(5) Sales literature, including advertising, indicating that the packaging or container represented therein conforms to requirements contained in subchapter A or C of this chapter.

[Amdt. 180-2, 54 FR 25032, June 12, 1989, as amended by Amdt. 180-3, 58 FR 33306, June 16, 1993; 70 FR 73166, Dec. 9, 2005]

### 49 CFR Ch. I (10-1-06 Edition)

#### Subpart B [Reserved]

#### Subpart C—Qualification, Maintenance and Use of Cylinders

SOURCE: 67 FR 51660, Aug. 8, 2002, unless otherwise noted.

##### § 180.201 Applicability.

This subpart prescribes requirements, in addition to those contained in parts 107, 171, 172, 173, and 178 of this chapter, for the continuing qualification, maintenance, or periodic requalification of DOT specification and exemption cylinders and UN pressure receptacles.

[71 FR 33894, June 12, 2006]

##### § 180.203 Definitions.

As used in this section, the word “cylinder” includes UN pressure receptacles. In addition to the definitions contained in §171.8 of this subchapter, the following definitions apply to this subpart:

*Commercially free of corrosive components* means a hazardous material having a dew point at or below minus 46.7 °C (minus 52 °F) at 101kPa (1 atmosphere) and free of components that will adversely react with the cylinder (e.g. chemical stress corrosion).

*Condemn* means a determination that a cylinder is unserviceable for the continued transportation of hazardous materials in commerce and that the cylinder may not be restored by repair, rebuilding, requalification, or any other procedure.

*Defect* means an imperfection requiring removal of a cylinder from service.

*Elastic expansion* means a temporary increase in a cylinder’s volume, due to application of pressure, that is lost when pressure is released (elastic expansion = total expansion minus permanent expansion).

*Filled or charged* means an introduction or presence of a hazardous material in a cylinder.

*Non-corrosive service* means a hazardous material that, in the presence of moisture, is not corrosive to the materials of construction of a cylinder (including valve, pressure relief device, etc.).