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## DOT UPDATES FOR 2013

The DOT has issued its final rule regarding the transportation of fire extinguishers. Read on to learn the latest updates:

The United States Department of Transportation, Pipeline and Hazardous Materials Administration (PHMSA) have issued a final rule regarding Docket No. PHMSA-2009-0126 (HM-215K); RIN 2137-AE83.

This final rule has a major impact on the transportation of fire extinguishers. NAFED's federal regulations committee has reviewed this final rule and will submit a more detailed report in the near future. A four hour pre-conference DOT seminar is scheduled for all three of NAFED's 2013 conferences. For more information and to register for any of these seminars please visit their [event calendar](#).

Some of the key points addressed in this new rulemaking are:

- Fire extinguishers that are being transported to or from a facility for service (e.g., recharging, hydrostatic testing, internal maintenance, etc.) may be transported as Material of Trade (MOT) in accordance with CFR 49 §173.6. This would include carbon dioxide fire extinguishers or other fire extinguishers that do not meet the DOT 173.309 definition of fire extinguisher. **Please note that the maximum amount of MOT allowed by the regulations is 440 pounds.** Also all fire extinguishers transported as MOT must be labeled and marked as per Table 172.101 (UN1044 for Fire Extinguishers; UN1013 for Carbon Dioxide, etc.)
- 49 CFR §173.309, Fire Extinguisher, was drastically revised by the DOT. This section was reorganized to clarify the requirements based upon the type of cylinder used. Series 3 and 4 specification cylinders are addressed in §173.309(a), specification 2P and 2Q cylinders are addressed in §173.309(b), and non-specification cylinders are addressed in §173.309(c).
- §173.309(c)(5) states: *"Each non-specification fire extinguisher must be packaged as an inner packaging within a combination outer packaging. Examples of acceptable outer packaging for non-specification fire extinguishers include large cartons, racks, cages, or other suitable enclosures."*
- §173.309(d) states that fire extinguishers shipped as limited quantity *"are excepted from shipping papers (except when offered for transportation by aircraft or vessel), labeling (except when offered by transportation by aircraft) placarding..."*

NAFED's federal regulations committee recommends the following for compliance:

- Any fire extinguisher that is not enclosed in a carton should have a label indentifying it as a UN1044 Fire Extinguisher.
- All fire extinguishers must be properly secured in the vehicle at all times when in transportation.
- Store-pressure wheeled units must be labeled and included on a shipping paper.
- Currently all packaging containing Limited Quantity fire extinguishers may be marked with UN1044 Fire Extinguishers up until the end of 2014. After that time, with the new requirement, the outside packaging will have to be marked with the Limited Quantity square-on-point limited quantity label shown in CFR 49 §172.315.

NAFED realizes that there may be some confusion with these latest changes so they are offering the training opportunities in the blue link above. More information will be issued at a later date. As with any major regulatory change, there can be different interpretations. The Federal Regulations Committee wishes to provide an accurate analysis of these regulations and, if required, NAFED will submit formal requests for interpretations.