

## Subpart I—Security Plans

**Source:** 68 FR 14521, Mar. 25, 2003, unless otherwise noted.

### § 172.800 Purpose and applicability.

(a) *Purpose.* This subpart prescribes requirements for development and implementation of plans to address security risks related to the transportation of hazardous materials in commerce.

(b) *Applicability.* By September 25, 2003, each person who offers for transportation in commerce or transports in commerce one or more of the following hazardous materials must develop and adhere to a security plan for hazardous materials that conforms to the requirements of this subpart:

- (1) A highway route-controlled quantity of a Class 7 (radioactive) material, as defined in §173.403 of this subchapter, in a motor vehicle, rail car, or freight container;
- (2) More than 25 kg (55 pounds) of a Division 1.1, 1.2, or 1.3 (explosive) material in a motor vehicle, rail car, or freight container;
- (3) More than one L (1.06 qt) per package of a material poisonous by inhalation, as defined in §171.8 of this subchapter, that meets the criteria for Hazard Zone A, as specified in §§173.116(a) or 173.133(a) of this subchapter;
- (4) A shipment of a quantity of hazardous materials in a bulk packaging having a capacity equal to or greater than 13,248 L (3,500 gallons) for liquids or gases or more than 13.24 cubic meters (468 cubic feet) for solids;
- (5) A shipment in other than a bulk packaging of 2,268 kg (5,000 pounds) gross weight or more of one class of hazardous materials for which placarding of a vehicle, rail car, or freight container is required for that class under the provisions of subpart F of this part;
- (6) A select agent or toxin regulated by the Centers for Disease Control and Prevention under 42 CFR part 73 or, by April 1, 2007, a select agent or toxin regulated by the United States Department of Agriculture under 9 CFR part 121; or
- (7) A quantity of hazardous material that requires placarding under the provisions of subpart F of this part.

(c) *Exceptions.* Transportation activities of a farmer, who generates less than \$500,000 annually in gross receipts from the sale of agricultural commodities or products, are not subject to this subpart if such activities are:

- (1) Conducted by highway or rail;
- (2) In direct support of their farming operations; and
- (3) Conducted within a 150-mile radius of those operations.

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