

**Chapter Trans 328**

**MOTOR CARRIER SAFETY REQUIREMENTS  
FOR INTRASTATE TRANSPORTATION OF  
HAZARDOUS MATERIALS**

Trans 328.01	Definitions	Trans 328.07	Demerit points not applica- ble
Trans 328.03	Federal regulation adopted	Trans 328.09	Copies of federal regulations
Trans 328.05	Enforcement		

**Trans 328.01 Definitions.** The words and phrases defined in s. 340.01, Stats., shall apply in the interpretation of this chapter.

**History:** Cr. Register, October, 1991, No. 430, eff. 11-1-91.

**Trans 328.03 Federal regulation adopted.** The following federal motor carrier safety regulations adopted by the United States department of transportation and in effect on November 1, 1991, are adopted by the department and shall be enforced in relation to those carriers, drivers or vehicles which operate in intrastate commerce in the same manner as though the regulations were set out in full in this section:

(1) Title 49, Code of Federal Regulations, part 171, hazardous materials regulations, except 171.1(a)(1), 171.4, 171.5, 171.10, 171.12 and 171.12a; and 171.2(a) and (b) for cargo and portable tanks used in intrastate commerce and placed in operation prior to November 1, 1991.

(2) Title 49, Code of Federal Regulations, part 172, hazardous materials tables and hazardous materials communications regulations.

(3) Title 49, Code of Federal Regulations, part 173, general requirements for shipments and packagings, except 173.33 for cargo and portable tanks used in intrastate commerce and placed in operation prior to November 1, 1991.

(4) Title 49, Code of Federal Regulations, part 177, carriage by public highway.

**History:** Cr. Register, October, 1991, No. 430, eff. 11-1-91.

**Trans 328.05 Enforcement.** The provisions of s. Trans 328.03 shall be enforced under the provisions of ss. 110.07, 110.075, 194.38, 194.43, 346.45(4) and ch. 194, Stats.

**History:** Cr. Register, October, 1991, No. 430, eff. 11-1-91.

**Trans 328.07 Demerit points not applicable.** No demerit points may be assessed for violations of s. Trans 328.03.

**History:** Cr. Register, October, 1991, No. 430, eff. 11-1-91.

**Trans 328.09 Copies of federal regulations.** The department shall advise carriers that copies of the federal regulations cited in s. Trans 328.03 may be obtained by contacting the division of state patrol.

**History:** Cr. Register, October, 1991, No. 430, eff. 11-1-91.