

**Chapter Trans 328**  
**MOTOR CARRIER SAFETY REQUIREMENTS FOR**  
**INTRASTATE TRANSPORTATION OF HAZARDOUS MATERIALS**

Trans 328.01 Definitions  
 Trans 328.03 Federal rules adopted  
 Trans 328.05 Enforcement

Trans 328.07 Demerit points not applicable  
 Trans 328.09 Copies of federal regulations

**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, 1993, No. 430, eff. 11-1-91.

**Trans 328.03 Federal rules adopted.** The following federal motor carrier safety regulations adopted by the United States department of transportation and in effect on November 1, 1996, are adopted by the department and shall be enforced in relation to those carriers, drivers or vehicles to which these rules apply in the same manner as though the regulations were set out in full in this chapter:

**(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.

**(5)** Title 49, Code of Federal Regulations, part 180, continuing qualification and maintenance of packagings.

**History:** Cr. Register, October, 1991, No. 430, eff. 11-1-91; am. (intro.) cr. (5), Register, June, 1994, No. 462, eff. 7-1-94; am. (intro.), Register, December, 1995, No. 480, eff. 1-1-96; am. (intro.), Register, January, 1997, No. 493, eff. 2-1-97.

**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.

*Emergency  
am  
9/15/98*

*Emergency  
c. (6)  
9-15-98  
328.04*