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PART 9

ROAD

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ROAD

Definitions

Definitions for the following terms, used in this Part, are provided in Part 1, Coming into Force, Repeal, Interpretation, General Provisions and Special Cases:

aircraft	dangerous goods safety mark	means of containment
carrier	emergency response assistance plan or ERAP or ERP	person
49 CFR	handling	road vehicle
classification	ICAO Technical Instructions	ship
consignment	IMDG Code	shipping document
consignor	large means of containment	shipping name
dangerous goods		UN Recommendations

According to the definition of “import”, when dangerous goods being imported are being transported to a place in Canada, the person who imports the dangerous goods is the consignor. If the dangerous goods are being transported through Canada, each person who transports them in Canada (that is, each carrier) is the consignor while in possession of the dangerous goods.

9.1 Transporting Dangerous Goods from the United States into or through Canada

Consignments of dangerous goods that originate in the United States are subject to expert inspection by U.S. inspectors. These consignments can be transported in Canada under the requirements of 49 CFR. However, consignments that originate in Canada are not permitted under these Regulations to be transported in Canada under 49 CFR only, because these consignments are not subject to expert inspection by U.S. inspectors.

- (1) Despite the requirements in Part 2, Classification, Part 3, Documentation, and Part 4, Dangerous Goods Safety Marks, a person may handle or transport dangerous goods by road vehicle from a place in the United States to a place in Canada or from a place in the United States through Canada to a place outside Canada in accordance with the classification, marking, labelling, placarding and documentation requirements of 49 CFR, if
- (a) the information required on the shipping document is easy to identify, legible, in indelible print, in English or French and includes
- (i) when dangerous goods are transported to a place in Canada, the name and address of the place of business in Canada of the consignor,
The consignor in this case is the consignee in Canada.
- (ii) when dangerous goods are transported from a place in the United States through Canada to a place outside Canada, the name and the address of the place of business of each consignor, except that in this case the name and address may be shown on a separate document attached to the shipping document and is required only while that person is the consignor,
The consignor in this case is the carrier.
- (iii) the classification in Schedule 1 or in the UN Recommendations, for dangerous goods that have the letter “D” assigned to them in column 1 of the table to section 172.101 of 49 CFR, except for dangerous goods with the shipping name “Consumer commodity”, and
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- (iv) in accordance with section 3.6 of Part 3, Documentation, the emergency response assistance plan reference number and the telephone number to call to activate the plan when an emergency response assistance plan is required under Part 7, Emergency Response Assistance Plan, for the dangerous goods shown on the shipping document;
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- (b) the person complies with the following sections in Part 3, Documentation:
- (i) section 3.2, Carrier Responsibilities,
- (ii) section 3.7, Location of a Shipping Document: Road, and

(iii) section 3.10, Location of a Shipping Document: Storage in the Course of Transportation, and

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(c) on or after August 31, 2008, the labels and placards displayed for dangerous goods included in Class 2.3 or Class 6.1 are the labels and placards required in these Regulations for the dangerous goods. The labels and placards may be displayed before August 31, 2008.

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(2) Subsection (1) does not apply to dangerous goods that

(a) are forbidden for transport by these Regulations;

(b) are not regulated by 49 CFR but are regulated by these Regulations;

(c) are transported under an exemption issued in accordance with Subpart B of Part 107 of 49 CFR; or

(d) are given dangerous goods safety mark or packaging exceptions in 49 CFR that are not permitted by these Regulations.

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9.2 Transporting Dangerous Goods to or from an Aircraft, an Aerodrome or an Air Cargo Facility

(1) Despite the requirements in Part 2, Classification, Part 3, Documentation, and Part 4, Dangerous Goods Safety Marks, if transport has been or is to be by aircraft, a person may handle or transport dangerous goods by road vehicle to or from an aircraft, an aerodrome or an air cargo facility in accordance with the classification, marking, labelling, and documentation requirements of the ICAO Technical Instructions, if

(a) the information required on the shipping document is easy to identify, legible, in indelible print, in English or French and includes, in accordance with section 3.6 of Part 3, Documentation, the emergency response assistance plan reference number and the telephone number to call to activate the plan when an emergency response assistance plan is required under Part 7, Emergency Response Assistance Plan, for the dangerous goods shown on the shipping document; and

(b) the person complies with the following provisions in Part 3, Documentation:

(i) section 3.2, Carrier Responsibilities,

(ii) paragraph 3.5(1)(f) and subsection 3.5(2), concerning a 24-hour number on a shipping document,

(iii) section 3.7, Location of a Shipping Document: Road, and

(iv) section 3.10, Location of a Shipping Document: Storage in the Course of Transportation.

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(2) Subsection (1) does not apply if these Regulations forbid the transport of the dangerous goods or if the dangerous goods are not regulated by the ICAO Technical Instructions but are regulated by these Regulations.

(3) When dangerous goods are transported to or from an aircraft, an aerodrome or an air cargo facility, by a road vehicle, the road vehicle, or any means of containment visible from outside the road vehicle, must have placards displayed on it in accordance with Part 4, Dangerous Goods Safety Marks.

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9.3 Transporting Dangerous Goods to or from a Ship, a Port Facility or a Marine Terminal

(1) Despite the requirements in Part 2, Classification, Part 3, Documentation, and Part 4, Dangerous Goods Safety Marks, if transport has been or is to be by ship, a person may handle or transport by road vehicle an international consignment of dangerous goods to or from a ship, a port facility or a marine terminal in accordance with the classification, marking, labelling, placarding and documentation requirements of the IMDG Code if

(a) the information required on the shipping document is easy to identify, legible, in indelible print, in English or French and includes, in accordance with section 3.6 of Part 3, Documentation, the emergency response assistance plan reference number and the telephone number to call to activate the plan when an emergency response assistance plan is required under Part 7, Emergency Response Assistance Plan, for the dangerous goods shown on the shipping document; and

(b) the person complies with the following provisions in Part 3, Documentation:

- (i) section 3.2, Carrier Responsibilities,
- (ii) paragraph 3.5(1)(f) and subsection 3.5(2), concerning a 24-hour number on a shipping document,
- (iii) section 3.7, Location of a Shipping Document: Road, and
- (iv) section 3.10, Location of a Shipping Document: Storage in the Course of Transportation.

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- (2) Subsection (1) does not apply if these Regulations forbid the transport of the dangerous goods or if the dangerous goods are not regulated by the IMDG Code but are regulated by these Regulations.
- (3) When dangerous goods are transported in a large means of containment to or from a ship, a port facility or a marine terminal, the large means of containment must have placards displayed on it in accordance with Part 4, Dangerous Goods Safety Marks, or the IMDG Code.

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9.4 Reshipping in Canada

- (1) When a consignment of dangerous goods is transported from a place outside Canada to a place in Canada and is reshipped within Canada by road vehicle, the dangerous goods safety marks displayed in accordance with 49 CFR, the ICAO Technical Instructions or the IMDG Code at the time of entry into Canada may continue to be displayed, except that the large means of containment containing the dangerous goods must have placards displayed on it in accordance with Part 4, Dangerous Goods Safety Marks.

If the dangerous goods are not regulated in Canada, the placards are not required to be displayed on the large means of containment.
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- (2) The shipping document that accompanies the dangerous goods must include a notation that the dangerous goods safety marks are in accordance with 49 CFR, the ICAO Technical Instructions or the IMDG Code, if they differ from the ones required to be displayed by Part 4, Dangerous Goods Safety Marks.

9.5 Maximum Net Explosives Quantity in a Road Vehicle

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The total net explosives quantity of all explosives that are transported together in a road vehicle must be less than or equal to the following limits:

- (a) 25 kg if any of the explosives are UN0190, SAMPLES, EXPLOSIVE;
- (b) 2 000 kg if any of the explosives are included in Class 1.1A; and
- (c) 20 000 kg.

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