

Traffic Bulletin

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July 2010

Unified Carrier Registration

Everyone operating Commercial Motor Vehicles (CMVs) in **interstate** commerce must register and pay a fee based on the number of CMVs operated in interstate commerce. Vehicles used solely in intrastate commerce are exempted from the registration and fees.

The website <http://www.ucr.in.gov/> will have the instructions and forms doing the registrations for the 2008, 2009, and 2010 reporting periods. You must register for each of the years that you operated CMVs in interstate commerce.

The UCR Agreement is a base-state system, under which a UCR registrant pays UCR fees through its Base State on behalf of all the participating States. A UCR registrant shall select its Base State using the following hierarchy:

- I. If your principal place of business state as completed in Section 1 of the form is AK, AL, AR, CA, CO, CT, DE, GA, IA, ID, IL, IN, KS, KY, LA, MA, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NM, NY, OH, OK, PA, RI, SC, SD, TN, TX, UT, VA, WA, WI, or WV, you must use that state as your base state.
- II. If your principal place of business state is not one of those listed above but you have an office or operating facility located in one of those states, you must use that state as your base state.
- III. If you cannot select a base state using (I) or (II) above, you must select your base state from (I) above that is nearest your principal place of business or select your base state as follows:
 - a. If your principal place of business state is DC, MD, NJ or VT or the Canadian Province of ON, NB, NL, NS, PE, or QC, you may select one of the following states: CT, DE, MA, ME, NH, NY, PA, RI, VA, or WV.
 - b. If your principal place of business state is FL or a state of Mexico, you may select one of the following states: AL, AR, GA, KY, LA, MS, NC, OK, SC, TN, or TX.
 - c. If your principal place of business state is the Canadian Province of ON or MB, you may select one of the following states: IA, IL, IN, KS, MI, MN, MO, NE, OH, or WI.
 - d. If your principal place of business state is AZ, HI, NV, OR or WY, or the Canadian Province of AB, BC, MB, or SK or YT or a state of Mexico, you may select one of the following states: AK, CA, CO, ID, MT, ND, NM, SD, UT, or WA.

What vehicles are considered commercial motor vehicles for purposes of the UCR fees?

The number of commercial motor vehicles for purposes of determining a carrier's UCR fees is the number of commercial motor vehicles (power units and towed vehicles such as trailers) the carrier reported in the most recent Form MCS-150 it filed with FMCSA or the total number of commercial motor vehicles it owned or operated under long-term lease for the twelve-month

period ending on June 30 immediately prior to the beginning of the UCR Agreement registration year for which the fees are being determined. A commercial motor vehicle is one that is operated in commerce and has a GVW or GVWR of at least 10,001 pounds or, in the case of a passenger vehicle, is one built to carry more than 10 persons, including the driver. It also includes a vehicle that transports hazardous materials in a quantity that requires placarding. It does not include, for this purpose, a vehicle that operates wholly in intrastate commerce.

(Note: Beginning in UCR registration year 2010, towed vehicles such as trailers will not be considered commercial motor vehicles for purposes of the UCR fees.)

How do I count the number of commercial motor vehicles to report in columns A, B, C, and D of Section 4 on the UCR application form?

You have two options: (1) Use the number of commercial motor vehicles listed on the last MCS-150 form you submitted for your USDOT number; or (2) Use the number of commercial motor vehicles you operated for the 12-month period ending June 30 of the year immediately prior to the year for which the UCR registration is made.

The UCR Board of Directors has established a National UCR System at www.ucr.in.gov. All UCR registrants may use this online system, regardless of base state, and it is the recommended method to register.

UCR Recordkeeping

1. UCR registrants are required to preserve the UCR records upon which the annual applications and renewals are based for three (3) years from the due date or filing date, whichever is later, plus any time period included as a result of State decisions or inquiries.
The three (3) year period is the current calendar year and the prior two (2) calendar years.
2. Records may be kept on paper, microfilm, microfiche, or other computerized or condensed record storage system as required by the Base State.

If you have any questions about whether you are still in the program or not, please contact:

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Hazard Communication Program, Frequently Asked Questions (FAQs)

Can MSDSs be stored on a computer to meet the accessibility requirements of HAZCOM?

If the employee's work area includes the area where the MSDSs can be obtained, then maintaining MSDSs on a computer would be in compliance. If the MSDSs can be accessed only

out of the employee's work area(s), then the employer would be out of compliance with paragraphs (g)(8) or (g)(9) [of the Hazard Communication Standard].

What are the container labeling requirements under HAZCOM?

Under HCS, the manufacturer, importer, or distributor is required to label each container of hazardous chemicals. If the hazardous chemicals are transferred into unmarked containers, these containers must be labeled with the required information, unless the container into which the chemical is transferred is intended for the immediate use of the employee who performed the transfer.

When is the chemical manufacturer required to distribute MSDSs?

Hazard information must be transmitted on Material Safety Data Sheets (MSDSs) that must be distributed to the customer at the time of first shipment of the product. The Hazard Communication Standard also requires that MSDSs be updated by the chemical manufacturer or importer within three months of learning of "new or significant information" regarding the chemical's hazard potential.

What is considered proper training under the HAZCOM standard?

Employees are to be trained at the time they are assigned to work with a hazardous chemical. The intent of this provision (1910.1200(h)) is to have information prior to exposure to prevent the occurrence of adverse health effects. This purpose cannot be met if training is delayed until a later date.

The training provisions of the HCS are not satisfied solely by giving employee the data sheets to read. An employer's training program is to be a forum for explaining to employees not only the hazards of the chemicals in their work area, but also how to use the information generated in the hazard communication program. This can be accomplished in many ways (audiovisuals, classroom instruction, interactive video), and should include an opportunity for employees to ask questions to ensure that they understand the information presented to them.

Training need not be conducted on each specific chemical found in the workplace, but may be conducted by categories of hazard (e.g., carcinogens, sensitizers, acutely toxic agents) that are or may be encountered by an employee during the course of his duties.

Furthermore, the training must be comprehensible. If the employees receive job instructions in a language other than English, then the training and information to be conveyed under the HCS will also need to be conducted in a foreign language.

What are the requirements for refresher training or retraining a new hire?

Additional training is to be done whenever a new physical or health hazard is introduced into the work area, not a new chemical. For example, if a new solvent is brought into the workplace, and it has hazards similar to existing chemicals for which training has already been conducted, then no new training is required. As with initial training, and in keeping with the intent of the standard, the employer must make employees specifically aware which hazard category (i.e., corrosive, irritant, etc.) the solvent falls within. The substance-specific data sheet must still be available, and the product must be properly labeled. If the newly introduced solvent is a suspect carcinogen, and there has never been a carcinogenic hazard in the workplace before, then new training for carcinogenic hazards must be conducted for employees in those work areas where employees will be exposed.

Do you need to keep MSDSs for commercial products such as "Windex" and "White-Out"?

OSHA does not require that MSDSs be provided to purchasers of household consumer products when the products are used in the workplace in the same manner that a consumer would use them, i.e.; where the duration and frequency of use (and therefore exposure) is not greater than what the typical consumer would experience. This exemption in OSHA's regulation is based, however, not upon the chemical manufacturer's intended use of his product, but upon how it actually is used in the workplace. Employees who are required to work with hazardous chemicals in a manner that results in a duration and frequency of exposure greater than what a normal consumer would experience have a right to know about the properties of those hazardous chemicals.

What are the requirements and limits to using generic MSDSs?

... [Regarding] the suitability of a generic material safety data sheet (MSDS). As you are probably aware, the requirements for MSDSs are found in paragraph (g) of 29 CFR 1910.1200. MSDSs must be developed for hazardous chemicals used in the workplace, and must list the hazardous chemicals that are found in a product in quantities of 1% or greater, or 0.1% or greater if the chemical is a carcinogen. The MSDS does not have to list the amount that the hazardous chemical occurs in the product.

Therefore, a single MSDS can be developed for the various combinations of ... [chemicals], as long as the hazards of the various... mixtures are the same. This "generic" MSDS must meet all of the minimum requirements found in 29 CFR 1910.1200(g), including the name, address and telephone number of the responsible party preparing or distributing the MSDS who can provide additional information.

The above information comes from the OSHA website found at this link:

<http://www.osha.gov/html/faq-hazcom.html>

OSHA gives links to actual Letters of Interpretation and other references for each of the questions and explanations given above.

As always, if there are questions or items that I can help you with, please don't hesitate to contact me.

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