

104TH CONGRESS
2D SESSION

H. R. 3153

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 24 (legislative day, SEPTEMBER 20), 1996

Received

AN ACT

To direct the Secretary of Transportation to issue a final rule relating to materials of trade exceptions from hazardous materials transportation requirements.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Small Business Trans-
3 port Correction Advancement Act of 1996”.

4 **SEC. 2. FINDINGS.**

5 Congress finds that—

6 (1) the Secretary of Transportation is consider-
7 ing, as part of a proposed rulemaking, expanding the
8 exceptions provided for transportation of small quan-
9 tities of hazardous materials from unnecessary and
10 burdensome regulations;

11 (2) the Secretary has found that certain busi-
12 nesses, and especially small businesses, carry small
13 quantities of hazardous materials;

14 (3) small businesses are critical in creating jobs
15 in the United States economy and can be signifi-
16 cantly affected by Federal regulations; and

17 (4) regulatory relief for small businesses trans-
18 porting relatively small quantities of hazardous ma-
19 terials should be promptly acted on and the Sec-
20 retary has stated an intention to issue a final rule
21 to provide this regulatory relief by December 31,
22 1996.

1 **SEC. 3. MATERIALS OF TRADE EXCEPTIONS FROM HAZARD-**
2 **OUS MATERIALS TRANSPORTATION RE-**
3 **QUIREMENTS.**

4 (a) DEADLINE FOR ISSUANCE OF FINAL RULE.—Not
5 later than December 31, 1996, the Secretary of Transpor-
6 tation shall issue, under the rulemaking proceeding under
7 docket number HM–200, entitled “Hazardous Materials
8 in Intrastate Transportation”, a final rule relating to ma-
9 terials of trade exceptions from chapter 51 of title 49,
10 United States Code, and regulations issued pursuant
11 thereto. The final rule shall substantially address the ma-
12 terials of trade exceptions contained in the proposed rule
13 relating to hazardous materials in intrastate transpor-
14 tation published in the Federal Register on March 20,
15 1996 (61 Fed. Reg. 11489–11490).

16 (b) EFFECTIVE DATE.—The final rule issued under
17 subsection (a) shall become effective not later than 90
18 days after date of publication of the final rule.

19 (c) TRAINING OF INSPECTORS.—Before the effective
20 date of the final rule issued under subsection (a), the Sec-
21 retary shall provide sufficient training of inspectors to pro-
22 vide for implementation of the final rule.

1 **SEC. 4. FARM-RELATED EXCEPTIONS FROM HAZARDOUS**
2 **MATERIALS TRANSPORTATION REQUIRE-**
3 **MENTS.**

4 Any provision of a final rule relating to intrastate
5 transportation of hazardous materials issued under the
6 rulemaking proceeding under docket number HM–200
7 that prohibits States from granting exceptions for not-for-
8 hire intrastate transportation by farmers and farm-related
9 service industries shall not take effect with respect to not-
10 for-hire intrastate transportation by farmers and farm-re-
11 lated service industries before the earlier of—

12 (1) the date of the enactment of a law which
13 authorizes appropriations to carry out chapter 51 of
14 title 49, United States Code, for fiscal year 1998; or

15 (2) the 180th day following the effective date of
16 the final rule.

Passed the House of Representatives September 24,
1996.

Attest:

ROBIN H. CARLE,

Clerk.