

§ 173.30

as when it contained a greater quantity of the material even though it no longer meets the definition in §171.8 of this subchapter for a hazardous substance.

[Amdt. 173-224, 55 FR 52614, Dec. 21, 1990, as amended by Amdt. 173-227, 56 FR 49989, Oct. 2, 1991; Amdt. 173-231, 57 FR 52939, Nov. 5, 1992; Amdt. 173-251, 61 FR 28676, June 5, 1996; Amdt. 173-260, 62 FR 1236, Jan. 8, 1997; 64 FR 10776, Mar. 5, 1999; 68 FR 48569, Aug. 14, 2003; 69 FR 64473, Nov. 4, 2004]

§ 173.30 Loading and unloading of transport vehicles.

A person who is subject to the loading and unloading regulations in this subchapter must load or unload hazardous materials into or from a transport vehicle or vessel in conformance with the applicable loading and unloading requirements of parts 174, 175, 176, and 177 of this subchapter.

[68 FR 61941, Oct. 30, 2003]

§ 173.31 Use of tank cars.

(a) *General.* (1) No person may offer a hazardous material for transportation in a tank car unless the tank car meets the applicable specification and packaging requirements of this subchapter or, when this subchapter authorizes the use of a non-DOT specification tank car, the applicable specification to which the tank was constructed.

(2) Tank cars and appurtenances may be used for the transportation of any commodity for which they are authorized in this part and specified on the certificate of construction (AAR Form 4-2 or by addendum on Form R-1). See §179.5 of this subchapter. Transfer of a tank car from one specified service on its certificate of construction to another may be made only by the owner or with the owner's authorization. A tank car proposed for a commodity service other than specified on its certificate of construction must be approved for such service by the AAR's Tank Car Committee.

(3) No person may fill a tank car overdue for periodic inspection with a hazardous material and then offer it for transportation. Any tank car marked as meeting a DOT specification and any non-specification tank car transporting a hazardous material must have a periodic inspection and

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test conforming to subpart F of part 180 of this subchapter.

(4) No railroad tank car, regardless of its construction date, may be used for the transportation in commerce of any hazardous material unless the air brake equipment support attachments of such tank car conform to the standards for attachments set forth in §§179.100-16 and 179.200-19 of this subchapter.

(5) No railroad tank car, regardless of its construction date, may be used for the transportation in commerce of any hazardous material with a self-energized manway located below the liquid level of the lading.

(6) Unless otherwise specifically provided in this part:

(i) When the tank car delimiter is an "A," offerors may also use tank cars with a delimiter "S," "J" or "T".

(ii) When the tank car delimiter is an "S," offerors may also use tank cars with a delimiter "J" or "T".

(iii) When a tank car delimiter is a "T" offerors may also use tank cars with a delimiter of "J".

(iv) When a tank car delimiter is a "J", offerors may not use a tank car with any other delimiter.

(7) A class DOT-103 or DOT-104 tank car may continue to be used for the transportation of a hazardous material if it meets the requirements of this subchapter and the design requirements in Part 179 of this subchapter in effect on September 30, 2003; however, no new construction is authorized.

(b) *Safety systems*—(1) *Coupler vertical restraint.* Each tank car conforming to a DOT specification and any other tank car used for transportation of a hazardous material must be equipped with a coupler vertical restraint system that meets the requirements of §179.14 of this subchapter.

(2) *Pressure relief devices.* (i) Pressure relief devices on tank cars must conform to part 179 of this subchapter.

(ii) A single-unit tank car transporting a Division 6.1 PG I or II, or Class 2, 3, or 4 material must have a reclosing pressure relief device. However, a single-unit tank car built before January 1, 1991, and equipped with a non-reclosing pressure relief device may be used to transport a Division 6.1 PG I or II material or a Class 4 liquid provided