

**Attachment A**

**Proposed Rule Changes  
Adoption by Reference Date Changes and Other Changes  
Docket A-121496**

<b>Chapter 480-14 WAC, Motor Carriers Excluding Household Goods Carriers and Common Carrier Brokers</b>			
Amend	480-14-999	Adoption by reference.	<p>1. Adoption by Reference dates changed as follows:</p> <ul style="list-style-type: none"> <li>• <b>Title 49, Code of Federal Regulations</b> Amends the effective date of adoption to <b>October 5, 2012</b>, for the following: <ul style="list-style-type: none"> <li>- Part 171 – General Information, Regulations and Definitions – see Note 1.</li> <li>- Part 172 – Hazardous Materials Table, etc. – see Note 2.</li> <li>- Part 173 – Shippers General Requirements for Shipping and Packages – see Note 3.</li> </ul> </li> </ul>
<b>Chapter 480-15 WAC, Household Goods Carriers</b>			
Amend	480-15-999	Adoption by reference	<p>1. Adoption by Reference dates changed as follows:</p> <ul style="list-style-type: none"> <li>• <b>North American Standard Out-Of-Service Criteria</b> Amends the effective date to <b>April 1, 2012</b> – No significant changes - new edition of previously-adopted reference.</li> <li>• <b>Title 49 Code of Federal Regulations</b> Amends the effective date of adoption to <b>October 5, 2012</b>, for the following: <ul style="list-style-type: none"> <li>- Part 40 – Procedures for Transportation Workplace Drug and Alcohol Testing Programs – see Note 4.</li> <li>- Part 375 –Transportation of Household Goods in Interstate Commerce; Consumer Protection Regulations – see Note 5.</li> <li>- Part 379 – Preservation of Records – no changes since last adoption.</li> <li>- Part 380 – Special Training Requirements – no changes since last adoption.</li> <li>- Part 382 – Controlled Substance and Alcohol Use and Testing – see Note 6.</li> <li>- Part 383 – Commercial Driver’s License Standards; Requirements and Penalties – see Note 7.</li> <li>- Part 385 – Safety Fitness Procedures – see Note 8.</li> <li>- Part 390 – Safety Regulations, General – see Note 9.</li> <li>- Part 391 – Qualification of Drivers – see Note 10.</li> <li>- Part 392 – Driving of Commercial Motor Vehicles – see Note 11.</li> <li>- Part 393 – Parts and Accessories Necessary for Safe Operation – see Note 12.</li> <li>- Part 395 – Hours of Service of Drivers – see Note 13.</li> <li>- Part 396 – Inspection, Repair and Maintenance – see Note 14.</li> <li>- Part 397 – Transportation of Hazardous Materials – see Note 15.</li> </ul> </li> </ul>

<b>Chapter 480-30 WAC, Passenger Transportation Companies</b>			
Amend	480-30-900	General requirements for interstate operations	Amends rule to remove reference to 49 CFR Part 1023 which no longer exists. The single state registration program was replaced with the Unified Carrier Registration program in 2007.
Amend	480-30-910	Registered carriers.	Amends rule to remove reference to 49 CFR Part 1023 which no longer exists. The single state registration program was replaced with the Unified Carrier Registration program in 2007.
Repeal	480-30-920	Registered exempt carriers	Rule is no longer necessary.
Amend	480-30-999	Adoption by reference	<p>1. Adoption by Reference dates changed as follows:</p> <ul style="list-style-type: none"> <li>• <b>North American Standard Out-Of-Service Criteria</b> Amends the effective date to <b>April 1, 2012</b> – No significant changes - new edition of previously-adopted reference.</li> <li>• <b>Title 49 Code of Federal Regulations:</b> Amends the effective date of adoption to <b>October 5, 2012</b>, for the following: <ul style="list-style-type: none"> <li>- Part 40 – Procedures for Transportation Workplace Drug and Alcohol Testing Programs – see Note 4.</li> <li>- Part 379 – Preservation of Records – no changes since last adoption.</li> <li>- Part 380 – Special Training Requirements – no changes since last adoption.</li> <li>- Part 382 – Controlled Substance and Alcohol Use and Testing – see Note 6.</li> <li>- Part 383 – Commercial Driver’s License Standards; Requirements and Penalties – see Note 7.</li> <li>- Part 385 – Safety Fitness Procedures – see Note 8.</li> <li>- Part 390 – Safety Regulations, General – see Note 9.</li> <li>- Part 391 – Qualification of Drivers – see Note 10.</li> <li>- Part 392 – Driving of Commercial Motor Vehicles – see Note 11.</li> <li>- Part 393 – Parts and Accessories Necessary for Safe Operation – see Note 12.</li> <li>- Part 395 – Hours of Service of Drivers – see Note 13.</li> <li>- Part 396 – Inspection, Repair and Maintenance – see Note 14.</li> <li>- Part 397 – Transportation of Hazardous Materials – see Note 15.</li> </ul> </li> </ul>

<b>Chapter 480-31 WAC, Private, Nonprofit Transportation Providers</b>			
Amend	480-31-999	Adoption by reference	<p>1. Adoption by Reference dates changed as follows:</p> <ul style="list-style-type: none"> <li>• <b>North American Standard Out-Of-Service Criteria</b> Amends the effective date to <b>April 1, 2012</b> – No significant changes - new edition of previously-adopted reference.</li> <li>• <b>Title 49 Code of Federal Regulations</b> Amends the effective date of adoption to <b>October 5, 2012</b>, for the following: <ul style="list-style-type: none"> <li>- Part 40 – Procedures for Transportation Workplace Drug and Alcohol Testing Programs – see Note 4.</li> <li>- Part 379 – Preservation of Records – no changes since last adoption.</li> <li>- Part 380 – Special Training Requirements – no changes since last adoption.</li> <li>- Part 382 – Controlled Substance and Alcohol Use and Testing – see Note 6.</li> <li>- Part 383 – Commercial Driver’s License Standards; Requirements and Penalties – see Note 7.</li> <li>- Part 385 – Safety Fitness Procedures – see Note 8.</li> <li>- Part 390 – Safety Regulations, General – see Note 9.</li> <li>- Part 391 – Qualification of Drivers – see Note 10.</li> <li>- Part 392 – Driving of Commercial Motor Vehicles – see Note 11.</li> <li>- Part 393 – Parts and Accessories Necessary for Safe Operation – see Note 12.</li> <li>- Part 395 – Hours of Service of Drivers – see Note 13.</li> <li>- Part 396 – Inspection, Repair and Maintenance – see Note 14.</li> <li>- Part 397 – Transportation of Hazardous Materials – see Note 15.</li> </ul> </li> </ul>
<b>Chapter 480-62 WAC, Railroad Companies - Operations</b>			
Amend	480-62-999	Adoption by Reference	<p>1. Adoption by Reference dates changed as follows:</p> <ul style="list-style-type: none"> <li>• <b>Title 49 Code of Federal Regulations</b> Amends the effective date of adoption to <b>October 5, 2012</b>, for the following parts: <ul style="list-style-type: none"> <li>- Part 171 - General Information, Regulations, and Definitions – see Note 1.</li> <li>- Part 172 - Emergency Response Information, Training Requirements, and Security Plans – see Note 2.</li> <li>- Part 173 - Shippers General Requirements for Shipments and Packages – see Note 3.</li> <li>- Part 174 - Carriage by Rail – see Note 16.</li> <li>- Part 178 – Specifications for Packagings – see Note 17.</li> </ul> </li> </ul>

Amend	480-62-999	Adoption by Reference (continued)	<ul style="list-style-type: none"> <li>- Part 179 - Specifications for Tank Cars – see Note 18.</li> <li>- Part 209 - Railroad Safety Enforcement Procedures – see Note 19.</li> <li>- Part 211 - Rules of Practice – No changes made since last adoption date.</li> <li>- Part 212 - State Safety Participation Regulations – No changes made since last adoption date.</li> <li>- Part 213 - Track Safety Standards – see Note 20.</li> <li>- Part 214 - Railroad Workplace Safety – see Note 21.</li> <li>- Part 217 - Railroad Operating Rules – see Note 22.</li> <li>- Part 218 - Railroad Operating Practices – see Note 23.</li> <li>- Part 219 - Control of Alcohol and Drug Use – see Note 24.</li> <li>- Part 220 - Railroad Communications – see Note 25.</li> <li>- Part 221 - Rear-end Marking Device – see Note 26.</li> <li>- Part 225 - Railroads accidents/incidents – see Note 27.</li> <li>- Part 228 - Hours of Service of Railroad Employees – see Note 28.</li> <li>- Part 234 - Grade Crossing Signal System Safety- see Note 29.</li> <li>- Part 239 - Passenger Train Emergency Preparedness – see Note 30.</li> <li>- Part 240 - Qualification and Certification of Locomotive Engineers – see Note 31.</li> <li>- Part 570.6 and 570.7 - Vehicle in Use Inspection Standards – No changes since last adoption date.</li> </ul> <ul style="list-style-type: none"> <li>• <b>Manual on Uniform Traffic Control Devices (MUTCD)</b>  Amends the effective date to <b>October 5, 2012</b>.  Amends the effective date of adoption to <b>October 5, 2012</b>, for the following safety standards: <ul style="list-style-type: none"> <li>- <b>ANSI Z308.1-2009, American National Standard for Minimum Requirements for Workplace First Aid Kits</b> – see Note 32.</li> <li>- <b>ANSI/ISEA 207-2011 - American National Standard for High-Visibility Public Safety Vests</b> – see Note 33.</li> </ul> </li> </ul>
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**Chapter 480-70 WAC, Solid Waste and/or Refuse Collection Companies**

Amend	480-70-999	Adoption by reference	<p>1. Adoption by Reference dates changed as follows:</p> <ul style="list-style-type: none"> <li>• <b>North American Standard Out-Of-Service Criteria</b> Amends the effective date to <b>April 1, 2012</b> – No significant changes - new edition of previously-adopted reference.</li> <li>• <b>Title 40 Code of Federal Regulations:</b> Amends the effective date of adoption to <b>October 5, 2012</b>, for the following: <ul style="list-style-type: none"> <li>- Part 262 – Standards Applicable to Generators of Hazardous Waste – No changes since last adoption date.</li> </ul> </li> <li>• <b>Title 49 Code of Federal Regulations:</b> Amends the effective date of adoption to <b>October 5, 2012</b>, for the following: <ul style="list-style-type: none"> <li>- Part 40 – Procedures for Transportation Workplace Drug and Alcohol Testing Programs – see Note 4.</li> <li>- Part 171 – General Information, Regulations, and Definitions – see Note 1.</li> <li>- Part 172 – Hazardous Materials Table, etc. – see Note 2.</li> <li>- Part 173 – Shippers General Requirements for Shipping and Packages – see Note 3.</li> <li>- Part 174 - Carriage by Rail – see Note 16.</li> <li>- Part 175 – Carriage by Aircraft – see Note 34.</li> <li>- Part 176 – Carriage by Vessel – see Note 35.</li> <li>- Part 177 – Carriage by Public Highway – see Note 36.</li> <li>- Part 178 – Specifications for Packagings – see Note 17.</li> <li>- Part 179 - Specifications for Tank Cars – see Note 18.</li> <li>- Part 180 – Continuing Qualification and Maintenance of Packagings – see Note 37.</li> <li>- Part 379 – Preservation of Records – no changes since last adoption.</li> <li>- Part 380 – Special Training Requirements – no changes since last adoption.</li> <li>- Part 382 – Controlled Substance and Alcohol Use and Testing – see Note 6.</li> <li>- Part 383 – Commercial Driver’s License Standards; Requirements and Penalties – see Note 7.</li> <li>- Part 385 – Safety Fitness Procedures – see Note 8.</li> <li>- Part 390 – Safety Regulations, General – see Note 9.</li> <li>- Part 391 – Qualification of Drivers – see Note 10.</li> <li>- Part 392 – Driving of Commercial Motor Vehicles – see Note 11.</li> <li>- Part 393 – Parts and Accessories Necessary for Safe Operation – see Note 12.</li> <li>- Part 395 – Hours of Service of Drivers – see Note 13.</li> <li>- Part 396 – Inspection, Repair and Maintenance – see Note 14.</li> <li>- Part 397 – Transportation of Hazardous Materials – see Note 15.</li> </ul> </li> </ul>
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<b>Chapter 480-75 WAC, Hazardous Liquid Pipelines - Safety</b>			
Amend	480-75-999	Adoption by reference	<p>1. Adoption by reference dates changed as follows:</p> <ul style="list-style-type: none"> <li>• <b>Title 49 Code of Federal Regulations</b> <ul style="list-style-type: none"> <li>○ <b>October 1, 2012</b> – Part 195 <ul style="list-style-type: none"> <li>▪ No significant changes – new edition previously adopted by reference</li> </ul> </li> <li>○ <b>October 1, 2012</b> – Part 199 <ul style="list-style-type: none"> <li>▪ No significant changes – new edition previously adopted by reference</li> </ul> </li> </ul> </li> <li>• <b>The commission adopts API RP standard 1117 Third Edition, July 2008, including errata December 2008 and errata 2 (August 2009).</b> <ul style="list-style-type: none"> <li>○ No significant changes – new edition previously adopted by reference</li> </ul> </li> <li>• <b>Copies of API standard 1117 Third Edition, July 2008, including errata December 2008 and errata 2 August 2009 are available from API, <a href="http://www.api.org/">http://www.api.org/</a>. It is also available for inspection at the commission.</b> <ul style="list-style-type: none"> <li>○ No significant changes – new edition previously adopted by reference</li> </ul> </li> </ul>
<b>Chapter 480-90 WAC, Gas Companies—Operations</b>			
Amend	480-90-999	Adoption by reference.	<p>1. Adoption by Reference date changed as follows:</p> <ul style="list-style-type: none"> <li>• <b>Title 18 Code of Federal Regulations</b> <b>April 1, 2012</b></li> </ul>
<b>Chapter 480-93 WAC, Gas Companies - Safety</b>			
Amend	480-93-999	Adoption by reference	<p>1. Adoption by reference dates changed as follows:</p> <ul style="list-style-type: none"> <li>• <b>Title 49 Code of Federal Regulations</b> <ul style="list-style-type: none"> <li>○ <b>October 1, 2012</b> – Part 191 <ul style="list-style-type: none"> <li>▪ No significant changes – new edition previously adopted by reference</li> </ul> </li> <li>○ <b>October 1, 2012</b> – Part 192 <ul style="list-style-type: none"> <li>▪ No significant changes – new edition previously adopted by reference</li> </ul> </li> <li>○ <b>October 1, 2012</b> – Part 193 <ul style="list-style-type: none"> <li>▪ No significant changes – new edition previously adopted by reference</li> </ul> </li> <li>○ <b>October 1, 2012</b> – Part 199 <ul style="list-style-type: none"> <li>▪ No significant changes – new edition previously adopted by reference</li> </ul> </li> </ul> </li> </ul>

<b>Chapter 480-100 WAC, Electric Companies</b>			
Amend	480-100-999	Adoption by reference.	1. Adoption by Reference date changed as follows: <ul style="list-style-type: none"> <li>• <b>National Electrical Code January 24, 2012</b></li> </ul>
<b>Chapter 480-108 WAC, Electric Companies – Interconnection with Electric Generators</b>			
Amend	480-108-999	Adoption by reference.	1. Adoption by Reference dates changed as follows: <ul style="list-style-type: none"> <li>• <b>National Electrical Code January 24, 2012</b></li> <li>• <b>Washington Industrial Safety and Health Administration (WISHA) Standard, chapter <u>296-155</u> WAC April 17, 2012</b></li> </ul>
<b>Chapter 480-120 WAC, Telephone Companies</b>			
Amend	480-120-999	Adoption by reference	1. Adoption by Reference dates changed as follows: <ul style="list-style-type: none"> <li>• <b>American National Standards for Telecommunications - “Network Performance Parameters for Dedicated Digital Services – Specifications” – (ANSI 01510) – as of December 29, 1999 and reaffirmed 2008 – No change to current rule</b></li> <li>• <b>The Institute of Electrical and Electronic Engineers (IEEE) Standard Telephone Loop Performance Characteristics – as of 2005</b> <ul style="list-style-type: none"> <li>○ No change to current rule</li> </ul> </li> <li>• <b>National Electrical Safety Code published by IEEE - August 1, 2011 version was adopted. There is a 2012 Edition released with minor changes included after the Aug. 2011 version</b> <ul style="list-style-type: none"> <li>○ Change to adopt 2012 Edition</li> </ul> </li> <li>• <b>Title 47 Code of Federal Regulations, Part 32 October 1, 1998</b> <ul style="list-style-type: none"> <li>○ No change to current rule</li> </ul> </li> <li>• <b>Title 47 Code of Federal Regulations, Part 42 October 1, 1998</b> <ul style="list-style-type: none"> <li>○ No change to current rule</li> </ul> </li> <li>• <b>Title 47 Code of Federal Regulations, Sections 64.2003 through 64.2009 October 1, 2011</b> <ul style="list-style-type: none"> <li>○ Change to adopted October 10, 2011</li> </ul> </li> </ul>

<b>Chapter 480-123 WAC, Universal Service</b>			
Amend	480-123-999	Adoption by reference	<p>1. Adoption by Reference dates changed as follows:</p> <ul style="list-style-type: none"> <li>• <b>The Cellular Telecommunications and Internet Association's (CTIA) Consumer Code for Wireless Service</b> <ul style="list-style-type: none"> <li>○ Change to adopt January 1, 2012 version</li> </ul> </li> </ul>

## Note

### 1. **49 CFR Part 171, General Information, Regulations, and Definitions - Effective: October 5, 2012:**

- Changes effective October 5, 2012: 77 FR 60935: This final rule corrects editorial errors, makes minor regulatory changes and, in response to requests for clarification, improves the clarity of certain provisions in the Hazardous Materials Regulations.

### 2. **49 CFR Part 172, Hazardous Materials Table, etc. – Effective October 5, 2012:**

- Changes effective December 28, 2011: 76 FR 81400: This rule corrects errors in the pictorial display of labels, eliminates references to transitional provisions that were previously removed from the HMR, clarifies shipping paper amendments, corrects an editorial error, and extends the effective date of certain shipping paper amendments adopted in the July 20, 2011, final rule.
- Changes effective June 25, 2012: 77 FR 37984: This rule incorporates provisions contained in certain widely used or longstanding rail special permits that have general applicability and established safety records.
- Changes effective July 25, 2012: 77 FR 37983: This rule incorporates rail special permits into the hazardous materials regulations.
- Changes effective October 5, 2012: 77 FR 60935: This final rule corrects editorial errors, makes minor regulatory changes and, in response to requests for clarification, improves the clarity of certain provisions in the Hazardous Materials Regulations.

### 3. **49 CFR Part 173, Shippers General Requirements for Shipments and Packages - Effective: October 5, 2012:**

- Changes effective October 1, 2011: 77 FR 60056: CFR corrections to part 173 - Shippers—General Requirements for Shipments and Packagings
- Changes effective December 28, 2011: 76 FR 81400: This rule corrects errors in the pictorial display of labels, eliminates references to transitional provisions that were previously removed from the HMR, clarifies shipping paper amendments, corrects an editorial error, and extends the effective date of certain shipping paper amendments adopted in the July 20, 2011 final rule.
- Changes effective January 1, 2012: 76 FR 82175, 76 FR 82177, 76 FR 82178: This rule responds to administrative appeals, provides clarifications, and corrects typographical and other minor errors adopted in an international harmonization final rule published January 19, 2011 (HM-215K; 76 FR 3308)
- Changes effective January 5, 2012: 77 FR 429: This clarification provides further guidance on PHMSA’s policy that it will only accept fireworks approvals applications from fireworks manufacturers or their designated agents and grant approvals only to manufacturers of fireworks devices.
- Changes effective February 21, 2012: 77 FR 429: Clarification on the PHMSA Division 1.1 Fireworks Approvals Policy.
- Changes effective July 1, 2012: 77 FR 22509: This rule amended the Hazardous Materials Regulations to require closures of inner packagings containing liquids within a combination packaging intended for transportation by aircraft to be secured by a secondary means or, where a secondary closure cannot be applied or it is impracticable to apply, permit the use of a leak-proof liner.



- Changes effective October 5, 2012: 77 FR 60935: This final rule corrects editorial errors, makes minor regulatory changes and, in response to requests for clarification, improves the clarity of certain provisions in the Hazardous Materials Regulations.
- 4. 49 CFR Part 40, Procedures for Transportation Workplace Drug and Alcohol Testing Programs – October 5, 2012:**
- Changes effective July 3, 2012: 77 FR 26473: The Department amended certain provisions of its drug testing procedures for 6-acetylmorphine (6-AM), a unique metabolite of heroin.
  - Changes effective October 3, 2012: 77 FR 60318: This rule adopts as final, without change, a May 4, 2012, interim final rule (IFR) which no longer requires laboratories and Medical Review Officers (MRO) to consult with one another regarding the testing for the presence of morphine when the laboratory confirms the presence of 6-acetylmorphine (6-AM). Also, laboratories and MROs will no longer need to report 6-AM results to the Office of Drug and Alcohol Policy and Compliance (ODAPC).
- 5. 49 CFR Part 375, Transportation of Household Goods in Interstate Commerce; Consumer Protection Regulations – Effective October 5, 2012:**
- Changes effective May 15, 2012: 77 FR 25373: FMCSA harmonizes its regulations with a recent Surface Transportation Board (STB) order that requires certain information about household goods motor carrier liability to appear on the estimates and bills of lading that carriers must provide to individual shippers.
  - Changes effective August 20, 2012: 77 FR 36934, 77 FR 36935: The FMCSA amended the regulations governing the transportation of household goods to remove an obsolete requirement related to collect calls, resolve ambiguities, and reduce a regulatory burden on household goods motor carriers.
  - Changes effective October 1, 2012: 77 FR 59823, 77 FR 59824: This final rule makes technical corrections throughout title 49 CFR subtitle B, chapter III.
- 6. 49 CFR Part 382 – Controlled Substance and Alcohol Use Testing – October 5, 2012:**
- Changes effective February 22, 2012: 77 FR 1039: The Federal Motor Carrier Safety Administration (FMCSA) corrected a Final Rule that appeared in the Federal Register on January 30, 2012 (77 FR 4479), which amended the physical qualifications for drivers and the instructions for the medical examination report to clarify that drivers may not use Schedule I drugs and be qualified to drive commercial motor vehicles (CMVs) under any circumstances.
  - Changes effective October 1, 2012: 77 FR 59825: This final rule makes technical corrections throughout title 49 CFR subtitle B, chapter III.
- 7. 49 CFR Part 383 - Commercial Driver’s License Standards; Requirements and Penalties – Effective October 5, 2012:**
- Changes effective January 3, 2012: 76 FR 75486: FMCSA and PHMSA amended the Federal Motor Carrier Safety Regulations (FMCSRs) and the Hazardous Materials Regulations (HMR) to restrict the use of hand-held mobile telephones by drivers of commercial motor vehicles (CMVs).
  - Changes effective May 21, 2012: 77 FR 24127: This rule amended § 383.73 by revising paragraph (o)(1)(iii)(E).
  - Changes effective May 24, 2012: 77 FR 30919: Compliance date for the May, 9, 2011 final rule: States must be in compliance with the requirements in subpart B of Part 384 (49 CFR part 384) by July 8, 2014.
  - Changes effective October 1, 2012: 77 FR 59825: This final rule makes technical corrections throughout title 49 CFR subtitle B, chapter III.
- 8. 49 CFR Part 385 – Safety Fitness Procedures – Effective October 5, 2012:**
- Changes effective February 27, 2012: 76 FR 81134: FMCSA revises the hours of service (HOS) regulations to limit the use of the 34-hour restart provision to once every 168 hours and to require that anyone using the 34-hour restart provision have as part of the restart

two periods that include 1 a.m. to 5 a.m. It also includes a provision that allows truckers to drive if they have had a break of at least 30 minutes, at a time of their choosing, sometime within the previous 8 hours.

- Changes effective May 8, 2012: 77 FR 26989: In this document, the Federal Communications Commission announces that the Office of Management and Budget (OMB) has approved, for a period of three years, the information collection associated with the Commission's Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support, Report and Order, (Order), released on November 18, 2011.
- Changes effective May 14, 2012: 77 FR 28450, 77 FR 28454: This final rule rescinded the final rule published on April 5, 2010, entitled “Electronic On-Board Recorders for Hours-of-Service Compliance” and amended by a September 13, 2010, technical amendment, in response to a decision of the Court of Appeals for the Seventh Circuit that vacated the April 2010 final rule.
- Changes effective May 24, 2012: 77 FR 30919: Compliance date for the May, 9, 2011 final rule: States must be in compliance with the requirements in subpart B of Part 384 (49 CFR part 384) by July 8, 2014.
- Changes effective October 1, 2012: 77 FR 59825, 77 FR 59826: This final rule makes technical corrections throughout title 49 CFR subtitle B, chapter III.

**9. 49 CFR Part 390 – Safety Regulations, General – Effective October 5, 2012:**

- Changes effective January 3, 2012: 76 FR 75487: FMCSA and PHMSA amended the Federal Motor Carrier Safety Regulations (FMCSRs) and the Hazardous Materials Regulations (HMR) to restrict the use of hand-held mobile telephones by drivers of commercial motor vehicles (CMVs).
- Changes effective February 27, 2012: 76 FR 81134: FMCSA revises the hours of service (HOS) regulations to limit the use of the 34-hour restart provision to once every 168 hours and to require that anyone using the 34-hour restart provision have as part of the restart two periods that include 1 a.m. to 5 a.m. It also includes a provision that allows truckers to drive if they have had a break of at least 30 minutes, at a time of their choosing, sometime within the previous 8 hours.
- Changes effective February 27, 2012: 76 FR 81186: FMCSA corrects the hours of service (HOS) final rule published on December 27, 2011 (76 FR 81143).
- Changes effective May 21, 2012: 77 FR 24130, 77 FR 24133: This rule amended § 383.73 by revising paragraph (o)(1)(iii)(E).
- Changes effective June 12, 2012: 77 FR 34852: FMCSA eliminates the requirement for drivers operating intermodal equipment (IME) to submit—and intermodal equipment providers (IEPs) to retain driver vehicle inspection reports (DVIRs) when the driver has neither found nor been made aware of any defects in the IME.
- Changes effective October 1, 2012: 77 FR 59827, 77 FR 59828: This final rule makes technical corrections throughout title 49 CFR subtitle B, chapter III.

**10. 49 CFR Part 391 – Qualification of Drivers – Effective October 5, 2012:**

- Changes effective December 16, 2011: 77 FR 70661: The FMCSA amends its regulations to keep in effect until January 30, 2014, the requirement that interstate drivers subject to the commercial driver’s license (CDL) regulations and the Federal physical qualification requirements must retain paper copies of their medical examiner’s certificate. Interstate motor carriers are also required to retain copies of their drivers’ medical certificates in their driver qualification files.
- Changes effective January 3, 2012: 76 FR 75487: FMCSA and PHMSA amended the Federal Motor Carrier Safety Regulations (FMCSRs) and the Hazardous Materials Regulations (HMR) to restrict the use of hand-held mobile telephones by drivers of commercial motor vehicles (CMVs).

- Changes effective January 12, 2012: 77 FR 1891: The FMCSA amends its December 3, 2011, final rule that restricted the use of hand-held mobile telephones by drivers of commercial motor vehicles. This technical amendment only affects an FMCSA regulation. The purpose of this rule is to correct a clerical error.
- Changes effective February 22, 2012: 77 FR 1039: The Federal Motor Carrier Safety Administration (FMCSA) corrected a Final Rule that appeared in the Federal Register on January 30, 2012 (77 FR 4479), which amended the physical qualifications for drivers and the instructions for the medical examination report to clarify that drivers may not use Schedule I drugs and be qualified to drive commercial motor vehicles (CMVs) under any circumstances.
- Changes effective February 29, 2012: 77 FR 4483: The FMCSA amends the physical qualifications for drivers and the instructions for the medical examination report to clarify that drivers may not use Schedule I drugs and be qualified to drive commercial motor vehicles (CMVs) under any circumstances. The rule also corrects inaccurate uses of the term “actual knowledge.”
- Changes effective May 21, 2012: 77 FR 24130, 77 FR 24130, 77 FR 24133: This rule amended § 383.73 by revising paragraph (o)(1)(iii)(E).

**11. 49 CFR Part 392 – Driving of Commercial Motor Vehicles – Effective October 5, 2012:**

- Changes effective January 3, 2012: 76 FR 75487: FMCSA and PHMSA amended the Federal Motor Carrier Safety Regulations (FMCSRs) and the Hazardous Materials Regulations (HMR) to restrict the use of hand-held mobile telephones by drivers of commercial motor vehicles (CMVs).

**12. 49 CFR Part 393 – Parts and Accessories Necessary for Safe Operation – Effective October 5, 2012:**

- Changes effective September 5, 2012: 77 FR 46638, 77 FR 46639: The FMCSA amended the requirements regarding brake readjustment limits in the FMCSRs. This rule amends the readjustment limits, clarifies their application, and corrects an error in cross-referencing a Federal Motor Vehicle Safety Standards. This rule responds to a petition for rulemaking from the CVSA.
- Changes effective October 1, 2012: 77 FR 59828: This final rule makes technical corrections throughout title 49 CFR subtitle B, chapter III.

**13. 49 CFR Part 395 – Hours of Service of Drivers – October 5, 2012:**

- Changes effective February 27, 2012: 76 FR 81186, 81187, 81188: FMCSA revises the hours of service (HOS) regulations to limit the use of the 34-hour restart provision to once every 168 hours and to require that anyone using the 34-hour restart provision have as part of the restart two periods that include 1 a.m. to 5 a.m. It also includes a provision that allows truckers to drive if they have had a break of at least 30 minutes, at a time of their choosing, sometime within the previous 8 hours.
- Changes effective February 27, 2012: 77 FR 7544: FMCSA corrects the hours of service (HOS) final rule published on December 27, 2011 (76 FR 81143). This correction notice corrects the amendatory language or guidance to legal editors of the Code of Federal Regulations (CFR) on the proper codification of the December 27, 2011 rule. This notice does not change, in any manner, the regulatory text.
- Changes effective May 14, 2012: 77 FR 28451: This final rule rescinded the final rule published on April 5, 2010, entitled “Electronic On-Board Recorders for Hours-of-Service Compliance” and amended by a September 13, 2010, technical amendment, in response to a decision of the Court of Appeals for the Seventh Circuit that vacated the April 2010 final rule.
- Changes effective June 5, 2012: 77 FR 33098: FMCSA announced revised its regulatory guidance to clarify the applicability of the “Oilfield operations” exceptions in 49 CFR 395.1(d) to the “Hours of Service of Drivers” regulations, and requests comments on the revision.
- Changes effective October 1, 2012: 77 FR 59828: This final rule makes technical corrections throughout title 49 CFR subtitle B, chapter III.

**14. 49 CFR Part 396 – Inspection, Repair and Maintenance – Effective October 5, 2012:**

- Changes effective May 14, 2012: 77 FR 28451: This final rule rescinded the final rule published on April 5, 2010, entitled “Electronic On-Board Recorders for Hours-of-Service Compliance” and amended by a September 13, 2010, technical amendment, in response to a decision of the Court of Appeals for the Seventh Circuit that vacated the April 2010 final rule.
- Changes effective June 12, 2012: 77 FR 34852: FMCSA eliminates the requirement for drivers operating intermodal equipment (IME) to submit—and intermodal equipment providers (IEPs) to retain driver vehicle inspection reports (DVIRs) when the driver has neither found nor been made aware of any defects in the IME.

**15. 49 CFR Part 397 – Transportation of Hazardous Materials – October 5, 2012:**

- Changes effective October 1, 2012: 77 FR 59828: This final rule makes technical corrections throughout title 49 CFR subtitle B, chapter III.

**16. 49 CFR Part 174, Carriage by Rail - Effective: October 5, 2012:**

- Changes effective July 25, 2012: 77 FR 37985: The Pipeline and Hazardous Materials Safety Administration amended the Hazardous Materials Regulations to incorporate provisions contained in certain widely used or longstanding rail special permits that have general applicability and established safety records.

**17. 49 CFR Part 178, Specifications for Packagings - Effective: October 5, 2012:**

- Changes effective October 5, 2012: 77 FR 60935: This final rule corrects editorial errors, makes minor regulatory changes and, in response to requests for clarification, improves the clarity of certain provisions in the Hazardous Materials Regulations.

**18. 49 CFR Part 179, Specifications for Tank Cars - Effective: October 5, 2012:**

- Changes effective July 25, 2012: 77 FR 37985, 37986: The Pipeline and Hazardous Materials Safety Administration amended the Hazardous Materials Regulations to incorporate provisions contained in certain widely used or longstanding rail special permits that have general applicability and established safety records.
- Changes effective October 5, 2012: 77 FR 60935: This final rule corrects editorial errors, makes minor regulatory changes and, in response to requests for clarification, improves the clarity of certain provisions in the Hazardous Materials Regulations.

**19. 49 CFR Part 209, Railroad Safety Enforcement Procedures - Effective: October 5, 2012:**

- Changes effective June 25, 2012: 77 FR 24418, 24419: To comply with the Federal Civil Penalties Inflation Adjustment Act of 1990, FRA adjusted the aggravated maximum penalty that it will apply when assessing a civil penalty for a violation of a railroad safety statute, regulation, or order under its authority.

**20. 49 CFR Part 213, Track Safety Standards - Effective: October 5, 2012:**

- Changes effective June 25, 2012: 77 FR 24419: To comply with the Federal Civil Penalties Inflation Adjustment Act of 1990, FRA adjusted the aggravated maximum penalty that it will apply when assessing a civil penalty for a violation of a railroad safety statute, regulation, or order under its authority.

**21. 49 CFR Part 214, Railroad Workplace Safety - Effective: October 5, 2012:**

- Changes effective June 25, 2012: 77 FR 24419: To comply with the Federal Civil Penalties Inflation Adjustment Act of 1990, FRA adjusted the aggravated maximum penalty that it will apply when assessing a civil penalty for a violation of a railroad safety statute, regulation, or order under its authority.

**22. 49 CFR Part 217, Railroad Operating Rules - Effective: October 5, 2012:**

- Changes effective June 25, 2012: 77 FR 24420: To comply with the Federal Civil Penalties Inflation Adjustment Act of 1990, FRA adjusted the aggravated maximum penalty that it will apply when assessing a civil penalty for a violation of a railroad safety statute, regulation, or order under its authority.

**23. 49 CFR Part 218, Railroad Operating Practices - Effective: October 5, 2012:**

- Changes effective June 25, 2012: 77 FR 24420: To comply with the Federal Civil Penalties Inflation Adjustment Act of 1990, FRA adjusted the aggravated maximum penalty that it will apply when assessing a civil penalty for a violation of a railroad safety statute, regulation, or order under its authority.

**24. 49 CFR Part 219, Control of Alcohol and Drug Use - Effective: October 5, 2012:**

- Changes effective June 25, 2012: 77 FR 24420: To comply with the Federal Civil Penalties Inflation Adjustment Act of 1990, FRA adjusted the aggravated maximum penalty that it will apply when assessing a civil penalty for a violation of a railroad safety statute, regulation, or order under its authority.

**25. 49 CFR Part 220, Railroad Communications - Effective: October 5, 2012:**

- Changes effective June 25, 2012: 77 FR 24420: To comply with the Federal Civil Penalties Inflation Adjustment Act of 1990, FRA adjusted the aggravated maximum penalty that it will apply when assessing a civil penalty for a violation of a railroad safety statute, regulation, or order under its authority.

**26. 49 CFR Part 221, Rear-end Marking Device - Effective: October 5, 2012:**

- Changes effective June 25, 2012: 77 FR 24420: To comply with the Federal Civil Penalties Inflation Adjustment Act of 1990, FRA adjusted the aggravated maximum penalty that it will apply when assessing a civil penalty for a violation of a railroad safety statute, regulation, or order under its authority.

**27. 49 CFR Part 225, Railroads accidents/incidents - Effective: October 5, 2012:**

- Changes effective June 25, 2012: 77 FR 24421: To comply with the Federal Civil Penalties Inflation Adjustment Act of 1990, FRA adjusted the aggravated maximum penalty that it will apply when assessing a civil penalty for a violation of a railroad safety statute, regulation, or order under its authority.
- Changes effective June 25, 2012: 77 FR 26704: This rule corrects minor errors in 77 FR 24416.

**28. 49 CFR Part 228, Hours of Service of Railroad Employees - Effective: October 5, 2012:**

- Changes effective December 30, 2011: 76 FR 67087: To carry out a 2008 Congressional rulemaking mandate, FRA is creating regulations prescribing minimum safety and health requirements for camp cars that a railroad provides as sleeping quarters to any of its train employees, signal employees, and dispatching service employees (covered-service employees) and individuals employed to maintain its right of way.
- Changes effective June 25, 2012: 77 FR 26704: Made corrections to final rule.

**29. 49 CFR Part 234, Grade Crossing Signal System Safety - Effective: October 12, 2012:**

- Changes effective August 13, 2012: 77 FR 35190, 35191: This final rule requires certain railroads to establish and maintain systems that allow members of the public to call the railroads, using a toll-free telephone number, and report an emergency or other unsafe condition at highway-rail and pathway grade crossings.

- Changes effective June 25, 2012: 77 FR 24422: To comply with the Federal Civil Penalties Inflation Adjustment Act of 1990, FRA adjusted the aggravated maximum penalty that it will apply when assessing a civil penalty for a violation of a railroad safety statute, regulation, or order under its authority.
- 30. 49 CFR Part 239, Passenger Train Emergency Preparedness - Effective: October 5, 2012:**
- Changes effective June 25, 2012: 77 FR 24422: To comply with the Federal Civil Penalties Inflation Adjustment Act of 1990, FRA adjusted the aggravated maximum penalty that it will apply when assessing a civil penalty for a violation of a railroad safety statute, regulation, or order under its authority.
- 31. 49 CFR Part 240, Qualification and Certification of Locomotive Engineers - Effective: October 5, 2012:**
- Changes effective June 25, 2012: 77 FR 24422: To comply with the Federal Civil Penalties Inflation Adjustment Act of 1990, FRA adjusted the aggravated maximum penalty that it will apply when assessing a civil penalty for a violation of a railroad safety statute, regulation, or order under its authority.
- 32. ANSI Z308.1-2009, American National Standard for Minimum Requirements for Workplace First Aid Kits - Effective: October 5, 2012:**
- Changed title to American National Standard for Minimum Requirements for Workplace First Aid Kits and Supplies.
- 33. ANSI/ISEA 207-2011- American National Standard for High-Visibility Public Safety Vests - Effective: October 5, 2012:**
- New version now in print (2011).
- 34. 49 CFR Part 175 – Carriage by Aircraft - Effective: October 5, 2012:**
- Effective date: January 1, 2012: 76 FR 82178: This rule responds to administrative appeals, provides clarifications, and corrects typographical and other minor errors adopted in an international harmonization final rule published January 19, 2011. (HM-215K; 76 FR 3308)
  - Effective date: October 5, 2012: 77 FR 60935: This final rule corrects editorial errors, makes minor regulatory changes and, in response to requests for clarification, improves the clarity of certain provisions in the Hazardous Materials Regulations.
- 35. 49 CFR Part 176 – Carriage by Vessel - Effective: October 5, 2012:**
- Effective date: January 3, 2012: 76 FR 82178: This rule responds to administrative appeals, provides clarifications, and corrects typographical and other minor errors adopted in an international harmonization final rule published January 19, 2011. (HM-215K; 76 FR 3308)
- 36. 49 CFR Part 177 – Carriage by Public Highway - Effective: October 5, 2012:**
- Changes effective January 3, 2012: 76 FR 75485: FMCSA and PHMSA amended the Federal Motor Carrier Safety Regulations (FMCSRs) and the Hazardous Materials Regulations (HMR) to restrict the use of hand-held mobile telephones by drivers of commercial motor vehicles (CMVs).
- 37. 49 CFR Part 180 – Continuing Qualification and Maintenance of Packagings - Effective: October 5, 2012:**
- Changes effective July 25, 2012: 77 FR 37987, 37990, 37991: The Pipeline and Hazardous Materials Safety Administration amended the Hazardous Materials Regulations to incorporate provisions contained in certain widely used or longstanding rail special permits that have general applicability and established safety records.