

**Materials of Trade Exception Checklist  
Private Carrier Shipment**

1. Do the hazardous materials meet the definition of Material of Trade?  
 No       Yes if yes that material is not eligible for the exception.
  
2. Is any of the hazardous materials a hazardous waste?  
 No       Yes if yes that material is not eligible for the exception.
  
3. Will the transportation of the materials occur in company-owned or company-leased vehicle as a private motor carrier?  
 Yes       No If no, the shipment is not eligible for the exception.
  
4. For each eligible MOT material, is the capacity or gross weight of the package more than the threshold below? (A box is the package, not the inners. A pail is the package.)  
 No       Yes If yes, that material is not eligible for the exception.

Hazard Class 3, 8, 9, Division 4.1, 5.1, 5.2, 6.1, or ORM-D

- Packing Group I -- 1 pound or 1 pint
- Packing Group II or III, or ORM-D -- 66 pounds or 8 gallons

Others -- as specified in 49 CFR 173.6

**List eligible materials:**

Products (product code and name)	Hazard Class/Div.	Packing Group	Maximum package size (gross weight or capacity)	Quantity (pounds)

5. Total quantity of eligible MOT materials (pounds): \_\_\_\_\_

6. Is the total quantity of all eligible MOT hazardous materials (including ORM-D materials) 440 pounds or less?  
 Yes       No if no, the shipment is not eligible for the exception.

Reference order No. and date: \_\_\_\_\_

Prepared by: \_\_\_\_\_ Signature : \_\_\_\_\_ Date: \_\_\_\_\_

## **Material Trade Exception Requirements**

### **Definition of Material of Trade (Source: 49 CFR 171.8)**

Material of trade means a hazardous material, other than a hazardous waste, that is carried on a motor vehicle—

- (1) For the purpose of protecting the health and safety of the motor vehicle operator or passengers;
- (2) For the purpose of supporting the operation or maintenance of a motor vehicle (including its auxiliary equipment);  
Or
- (3) By a private motor carrier (including vehicles operated by a rail carrier) in direct support of a principal business that is other than transportation by motor vehicle.

### **Packaging**

Packaging must be leak tight for liquids and gases, sift proof for solids, and be securely closed, secured against shifting, and protected against damage.

Each material must be packaged in the manufacturer's original packaging, or a packaging of equal or greater strength and integrity.

Outer packagings are not required for receptacles (e.g., cans and bottles) that are secured against shifting in cages, carts, bins, boxes or compartments.

For gasoline, must packaged in approved safety can cannot exceed 5 total gallons.

Compressed gas cylinders are not authorized under this procedure (except ORM-D).

### **Hazard Communication**

Non-bulk packaging must be marked with a common name or proper shipping name to identify the material it contains, including the letters "RQ" if it contains a reportable quantity of a hazardous substance.

The operator of a motor vehicle that contains a material of trade must be informed of the presence of the hazardous material (including whether the package contains a reportable quantity) and must be informed of the requirements of the MOT exception.