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Florida Solid and Hazardous Waste Regulation Handbook: Hazardous Materials Transportation Authorization Act (HMTAA)¹

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What Is the Hazardous Materials Transportation Authorization Act (HMTAA)?

In 1994, Congress enacted the Hazardous Materials Transportation Authorization Act (HMTAA) to provide protection against the risks to life and property during the transportation of hazardous materials. HMTAA broadened the regulatory and enforcement authority of the Secretary of Transportation. The statute is so comprehensive that it covers the transportation of hazardous materials by:

- aircraft.
- rail.
- ships.
- vehicles.

What Are the Requirements of HMTAA?

HMTAA requires that all hazardous material employers train their employees in:

- handling.
- loading.
- storing.
- unloading.
- transporting.
- emergency preparedness.

The Secretary has discretionary power to require anyone who transports hazardous materials to register with the Department of Transportation (DOT). However, some transporters have a mandatory obligation to register with DOT. These include:

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- anyone who transports a highway-route-controlled quantity of radioactive material.
- anyone who transports more than 25 kilograms (55 pounds) of certain explosive materials by motor vehicle, rail car, or transport container.
- anyone who transports more than 1 liter (1.06 quarts) of a material extremely toxic when inhaled.
- anyone who transports in bulk packaging, if the bulk packaging has a capacity of at least 3500 gallons or more than 468 cubic feet.
- anyone who transports at least 5000 pounds of a hazardous material that requires placarding for vehicles, rail cars, or freight containers.
- anyone involved in the transportation of oil, gas, pesticides, or any other potentially hazardous substances should contact DOT to be sure they are complying with the law.

What Are the Penalties under HMTAA?

Anyone who knowingly violates HMTAA may be subject to fines of at least \$250, but not more than \$25,000 per day, per violation. Anyone who knowingly and willfully violates HMTAA may be fined or imprisoned for up to 5 years under the criminal provisions.

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This handbook is designed to provide an accurate, current, and authoritative summary of the principal Florida laws that directly or indirectly relate to agriculture. It should provide a basic overview of the many rights and responsibilities farmers and farmland owners have under Florida laws. The reader is provided information about these rights and responsibilities and the appropriate contacts for more detailed information. However, the reader should be aware that because the laws, administrative rulings, and court decisions on which this publication is based are subject to constant revision, portions of this publication could become outdated at any time. Many details of cited laws are also left out due to space limitations.

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