Kansas Administrative Regulations

Kansas Corporation Commission

Article 4.—Motor Carriers of Persons and Property—Motor Carriers

82-4-20. Transportation of hazardous materials by motor vehicles.

(a) The federal regulations adopted by reference in this regulation shall govern the transportation of hazardous materials in Kansas in commerce to the extent that the regulations pertain to the transportation of hazardous materials by commercial motor vehicle.

(b) Copies of all applications for special permits pursuant to 49 C.F.R. Part 107, Subpart B, registrations of cargo tank and cargo tank motor vehicle manufacturers, assemblers, repairers, inspectors, testers, and design-certifying engineers pursuant to 49 C.F.R. Part 107, Subpart F, and registrations of persons who offer transportation or transport hazardous materials pursuant to 49 C.F.R. Part 107, Subpart G shall be made available to the commission for proof of compliance with federal hazardous materials regulations.

(c) The following federal regulations, as in effect on October 1, 2025, are hereby adopted by reference:

(1) 49 C.F.R. Part 107 Subparts F and G;

(2) 49 C.F.R. Part 171 with the following exceptions:

(A) 49 C.F.R. 171.1(a) and the paragraph that precedes it;

(B) 49 C.F.R. 171.1(f);

(C) 49 C.F.R. 171.6 and 171.7; and

(3) 49 C.F.R. Part 172, including the appendices, except 172.701, 172.804, 172.820, and 172.822;

(4) 49 C.F.R. Part 173, including the appendices, except 173.10, 173.27, 173.31 and 173.314;

(5) 49 C.F.R. Part 177;

(6) 49 C.F.R. Part 178, including the appendices, except 178.46(e), (h) and (i); and

(7) 49 C.F.R. Part 180, including the appendices, with the following exceptions:

(A) Any references to 49 C.F.R. 171.7; and

(B) 180.501 through 180.519.

(d) When used in any provision adopted from 49 C.F.R. Parts 107, 171, 172, 173, 177, 178, and 180, the following substitutions shall be made unless otherwise specified:

(1) The terms "administrator," "associate administrator," and "regional administrator" shall be replaced with "or director as defined in K.A.R. 82-4-1."

(2) The term "competent authority" shall mean "the Kansas corporation commission or any other Kansas agency or federal agency that is responsible, under its law, for the control or regulation of some aspect of hazardous materials transportation."

(3) The terms "Department of Transportation," "DOT," and "department" shall be replaced with "commission as defined in K.A.R. 82-4-1."

(4) The term "the United States" shall be replaced with "the state of Kansas."

(e) Carriers transporting hazardous materials in intrastate commerce shall be subject to the packaging provisions as provided in K.S.A. 66-1,129b, and amendments thereto.

(f) As used in this regulation, each reference to a portion of 49 C.F.R. Parts 171, 172, 173, 177, 178, and 180 shall mean that portion as adopted by reference in this regulation.

(g) Whenever the federal regulations adopted in this regulation refer to portions of the federal regulations adopted in article 4 of the commission's regulations, the reference shall be to the version of those federal regulations as adopted in article 4.

(h) All standards in documents adopted in this regulation that are not otherwise adopted shall be included for reference only.

(i) All sections marked "reserved" shall be deleted.

(j) Whenever the adopted federal hazardous materials regulations refer to portions of the federal hazardous materials regulations that are not included under subsection (a), those references shall not be applicable to this regulation.

(Authorized by K.S.A. 2025 Supp. 66-1,112, K.S.A. 2025 Supp. 66-1,112g, K.S.A. 66-1,129, and K.S.A. 66-1,129b; implementing K.S.A. 2025 Supp. 66-1,112, K.S.A. 66-1,129, and K.S.A. 66-1,129b; effective Jan. 1, 1971; amended May 1, 1981; amended May 1, 1984; amended May 1, 1985; amended May 1, 1987; amended May 1, 1988;

amended April 30, 1990; amended Sept. 16, 1991; amended July 6, 1992; amended May 10, 1993; amended Oct. 3, 1994; amended Jan. 30, 1995; amended Jan. 4, 1999; amended July 14, 2000; amended Jan. 31, 2003; amended Oct. 2, 2009; amended Nov. 14, 2011; amended Sept. 20, 2013; amended May 6, 2016; amended July 26, 2019; amended Feb. 10, 2023; amended, T-82-8-19-26, Aug. 19, 2026.)

***** Authenticated Kansas Administrative Regulation *****