



BEFORE THE

U.S. DEPARTMENT OF TRANSPORTATION

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

SOLICITATION FOR COMMENTS FROM INTERESTED STAKEHOLDERS ON WORKING PAPERS SUBMITTED FOR CONSIDERATION OF THE INTERNATIONAL CIVIL AVIATION ORGANIZATION DANGEROUS GOODS PANEL WORKING GROUP (ICAO DGP-WG) 18.

COMMENTS OF NATIONAL MOTOR FREIGHT TRAFFIC ASSOCIATION, INC.

Paul G. Levine
Executive Director
National Motor Freight Traffic
Association, Inc.
1001 North Fairfax Street
Suite 600
Alexandria, VA 22314
Phone (703) 838-1822
Email: Levine@nmfta.org

Lisa K. O'Donnell
Commodity Classification Standards Board Member
National Motor Freight Traffic
Association, Inc.
1001 North Fairfax Street
Suite 600
Alexandria, VA 22314
Phone (703) 838-1838
Email: ODonnell@nmfta.org

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**International Civil Aviation Organization Dangerous Goods Panel Working Group (ICAO DGP-WG) 18,
Agenda Item 6: Dangerous Goods Training for Entities Handling General Cargo**

NMFTA is a nonprofit membership organization headquartered at 1001 North Fairfax Street, Suite 600, Alexandria, VA 22314. Its membership is comprised of more than 500 motor carriers operating in interstate, intrastate, and foreign commerce primarily specializing in the transportation of less-than-truckload (LTL) quantities of freight. Approximately 71% of those carriers are registered with PHMSA to transport certain types and quantities of hazardous materials. NMFTA represents the interests and welfare of its members in judicial, regulatory, and legislative proceedings that involve matters affecting their operations. Clearly, Agenda Item 6, which will consider dangerous goods training for entities handling general cargo, can be of significant benefit to NMFTA's member motor carriers transporting those commodities.

It is not uncommon for a hazardous materials shipment to move by motor carrier and air cargo, as well as other modes of transportation, before it reaches its ultimate destination. In fact, LTL carriers regularly receive shipments from air freight forwarders. Air freight forwarders negotiate rates on behalf of shippers and often rely on information provided by the initial offeror of the shipment when preparing a hazardous materials shipment for further transportation. Conversely, an initial offeror, often a manufacturer, may rely on an air freight forwarder for its services because it is unfamiliar with transportation regulations and requirements. Through no intentional malfeasance on either entity's part, shipments of hazardous materials are sometimes offered to LTL carriers without proper marking, labeling or shipping paper requirements. A motor carrier might not ever know that it is transporting a hazardous material if the shipment is moving in an unmarked shipping container. This gap in communication between the initial offeror, the air freight forwarder and the motor carrier, leads to often avoidable incidents and accidents. In fact, in 2018 alone, there were 647 reported incidents in PHMSA's Incident Reports Database involving undeclared hazardous materials shipments in LTL service. These incidents resulted in 157 minor injuries and \$2,534,384 in reported damages.

For these reasons, NMFTA supports **Agenda Item 6: Dangerous goods training for entities handling general cargo**, which proposes to form a working group to establish the responsibilities of the air freight forwarder associated with arranging the transport of cargo by air, including: a) identifying and rejecting undeclared/misdeclared dangerous goods from air transport; and b) where applicable, ensuring

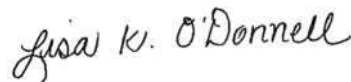
compliance with the requirements for dangerous goods which are to be offered to the air operator, for example when completing the master air waybill.

NMFTA believes that further defining the responsibilities of the air freight forwarder, as described in Agenda Item 6, will make transportation of hazardous materials by all modes safer.

Respectfully submitted,



Paul G. Levine
Executive Director
National Motor Freight Traffic
Association, Inc.
1001 North Fairfax Street
Suite 600
Alexandria, VA 22314
Phone (703) 838-1822
Email: Levine@nmfta.org



Lisa K. O'Donnell
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