



Inspection Bulletin

North American Standard Inspection Program

2015-07 – How to Properly Identify Shipper Violations

Created: May 19, 2010

Revised: April 27, 2017

Summary

This Inspection Bulletin provides guidance for correctly identifying a hazardous materials/dangerous goods offeror/shipper and properly documenting their violations.

Background

The hazardous materials/dangerous goods (HM/DG) offeror/shipper is the first step in the transportation of HM/DG. The HM/DG offeror/shipper has an important responsibility in transportation. The offeror/shipper is required to properly classify, package, label, mark and document the HM/DG offered for transportation.

The proper identification of the offeror/shipper is an important step in the HM/DG inspection program. Proper identification will attribute the violations to the proper offeror/shipper which is even more important with the introduction of Compliance, Safety and Accountability (CSA).

Not all jurisdictions are able to cite the offeror/shipper for violations. Properly identifying the HM/DG offeror/shipper will assist federal jurisdictions with important information required for potential enforcement actions.

Per 49 CFR, the carrier is responsible for what they transport, but regulations found in 49 CFR authorize the carrier to rely on information provided by the offeror/shipper.

Identifying the HM/DG Offeror/Shipper

When conducting a North American Standard HM/DG, Cargo Tank or Other Bulk Package Inspection, the inspector needs to identify who is responsible for classification, packaging and preparing the hazard communications of the product being shipped and/or transported. The inspector will need to keep this in mind while conducting inspections because the identification of the offeror/shipper will become a standard part of the inspection. The box shown on the next page will appear during a HM/DG roadside inspection whenever a potential offeror/shipper violation is entered into the ASPEN Inspection Program.

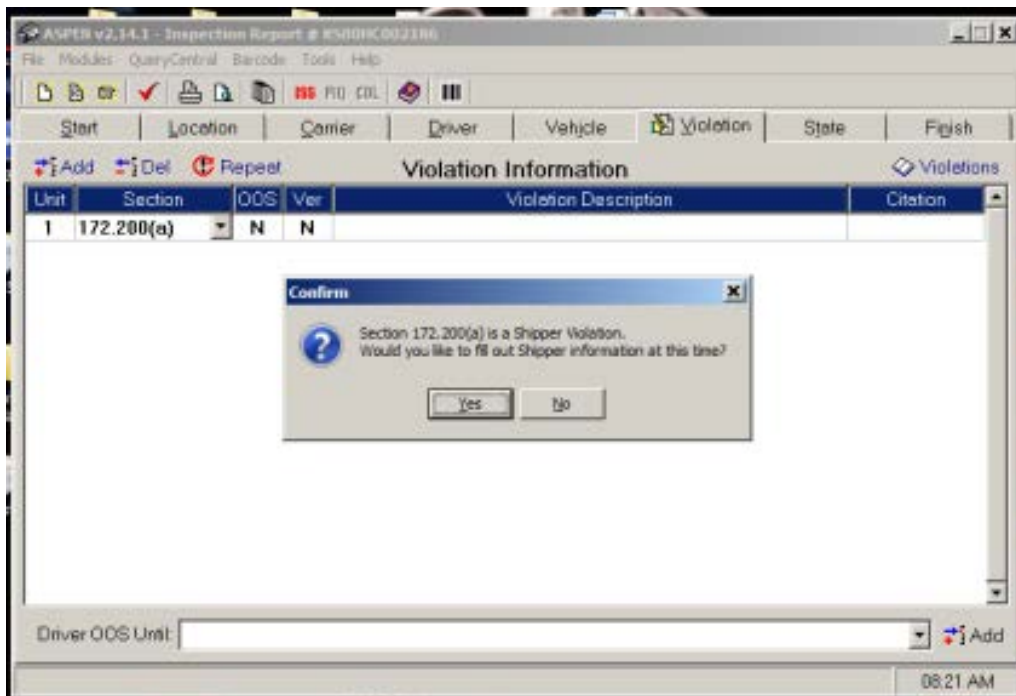
NOTE: The guidance on the next page applies to jurisdictions using ASPEN software. While there is a multitude of third-party software available, this guidance is for the ASPEN Inspection Program. For jurisdictions using other software programs, please refer to your vendor or IT support for guidance in collecting this data.

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Guidance

When this box (pictured below) appears with the question – “Section is a Shipper Violation. Would you like to fill out Shipper information at this time?” – the inspector needs to identify if the violation is an offeror/shipper responsibility or carrier responsibility. If the offeror/shipper should have been responsible for ensuring compliance, then click “yes” and fill in as much information as possible about the offeror/shipper from the shipping papers, HM/DG package, etc.



It is important that the inspector does not select the “use current carrier” option unless the shipper is also the carrier. Selecting the “use current carrier” button on all potential shipper violations will collect incorrect data that will continue to allow HM/DG offerors/shippers with potential issues to go unnoticed.

Determine the HM/DG offeror/shipper by looking at the HM/DG shipping papers. These documents can identify the offeror/shipper for a majority of the HM/DG shipments.

Once each HM/DG offeror/shipper is identified, enter the appropriate information into the “Shipper Information” box in ASPEN or within the “Notes” section for other inspection software if there is not a “Shipper Information” box.

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The screenshot shows the ASPEN v2.14.1 software interface. A dialog box titled "Shipper Information" is open, prompting the user to "Select an HM shipper from the list or enter new information below." The dialog box contains a table with two columns: "DOT #" and "Shipper Name". Below the table are several input fields: "USDOT#:", "Name:", "Address:", "Country:", "State:", "City:", and "Zip:". There are also buttons for "Use Current Carrier", "Clear", "OK", and "Cancel". The background shows a table with columns "Unit" and "Se" and a row with values "1" and "172.200".

When identifying the HM/DG offeror(s)/shipper(s), inspectors should also interview the driver to gather information regarding the origin, destination and preparation of the load. These questions will help to properly identify the correct offeror/shipper.