

**ISSUE NUMBER**

21-041-HAZ

**ISSUE NAME**

177.804(a) - Citing of Catchall Violations

**STATUS**

Closed

Hazardous Materials Committee

**NAME**

Rex

**AGENCY**

Railsback

**ADDRESS**

312 Lawrence Ave  
Lawrence, KS 66049  
United States

**PHONE**

9135683001

**EMAIL**[rex@hazmatgeek.com](mailto:rex@hazmatgeek.com)**SUMMARY OF ISSUE**

enforcement citing "catchall" violations, when also citing for individual violations, e.g., citing 177.804(a), to an HM carrier, who also has a safety regulation violation.

**JUSTIFICATION OR NEED**

Due to the ever increasing, behind the scenes, punitive actions associated with roadside inspection violations, a policy and/or request to FMCSA, for any type of stacking or catchall violations, associated with another violation, on the same report, needs to be declared as stacking and/or the SMS point value placed at 0.

**REQUEST FOR ACTION**

Put into policy a prohibition for stacking and submit letter to FMCSA to either remove catch all cites from the SMS list or assign a 0 point value for such cites.

**SUPPORTING DOCUMENTS/PHOTOS**

- [177\\_804a-stacking-violation.jpg](#)

**ACTION TAKEN BY COMMITTEE**

No action taken. This issue was previously assigned to an ad hoc committee (same committee who is working on Operational Policy 14) and the ad hoc committee is not finished with it yet. During the discussion, the members of the committee had a brief conversation and determined this was the exact same issue as 19-004-HAZ and decided that the resolution determined for 19-004-HAZ would also resolve this issue. There was no further discussion on is topic.