

RSPA's lead role in addressing hazardous materials transportation security was clarified with an amendment to the Federal hazardous materials transportation law (Federal hazmat law; 49 CFR 5101 *et seq.*) in the Homeland Security Act of 2002 (Pub. Law. 107-296). Under section 1711 of the Homeland Security Act, the Secretary of Transportation's authority to regulate hazardous materials, which is delegated to RSPA, was expanded to include hazardous materials transportation security. Section 1711 amended section 5103 of Federal hazmat law to require the Secretary to "prescribe regulations for the safe

transportation, including security, of hazardous material in intrastate, interstate, and foreign commerce" and to provide that the regulations "shall govern safety aspects, including security, of the transportation of hazardous material the Secretary considers appropriate." Accordingly, RSPA and FMCSA determined that RSPA should take the lead in future rulemaking to address the security of hazardous materials shipments transported by motor carriers. The Spring 2003 edition of the Semi-Annual Regulatory Agenda will reflect that RSPA has assumed leadership of this rulemaking project.

Once RPSA develops its next regulatory action on this subject, it will establish its own docket number. RSPA plans to provide public access to that regulatory action, through a hyperlink connecting the current FMCSA docket number to the new RSPA docket number. Thus, parties searching for updated information on this rulemaking through the former docket number will be apprised of RSPA's rulemaking.

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