



HOW REGULATIONS CHANGE: AN OVERVIEW OF THE REGULATORY & RULEMAKING PROCESS

Regulations for transporting hazardous materials (dangerous goods) are regularly updated around the world. While the goal is the same - safe and consistent transport - each country or organization follows its own process for proposing, reviewing, and adopting regulatory changes.

This overview explains how rulemaking works across key global systems, including the United Nations, United States, Canada, Mexico, and the European Union, and highlights how COSTHA members can participate.

THE UNITED NATIONS (UN)

The United Nations plays a central role in global dangerous goods regulation through the UN Committee of Experts (UNCOE), which includes two subcommittees:

- Transport of Dangerous Goods (TDG)
- Globally Harmonized System of Classification and Labeling of Chemicals (GHS)

International modal organizations - such as the International Civil Aviation Organization (ICAO) and the International Maritime Organization (IMO) - also contribute, along with national authorities like:

- U.S. Department of Transportation (USDOT)
- Transport Canada (TC)
- Mexico's SICT
- The European Union (EU)

How the Process Works

- Meetings are held twice a year in Geneva (four meetings per two-year cycle, or "biennium").
- Proposals and comments are submitted by governments, organizations, and NGOs.
- Working groups discuss technical topics in detail.
- Final decisions are made at the last meeting of the biennium.

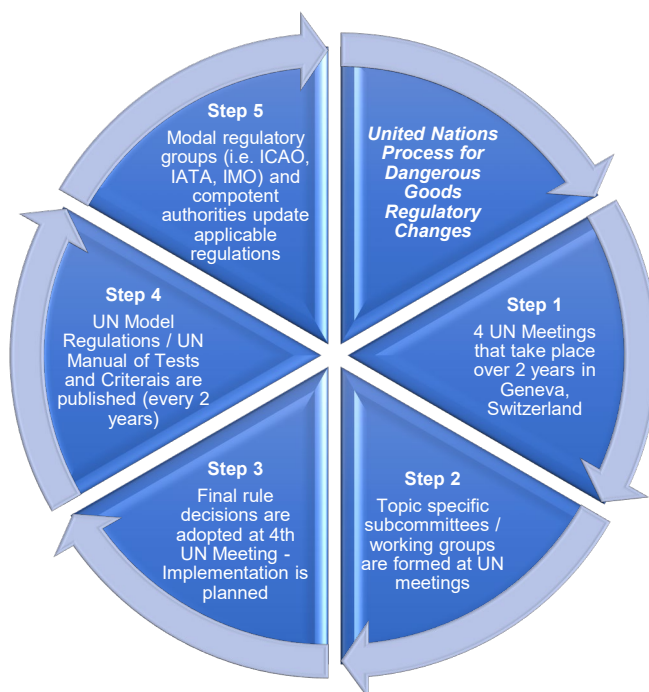
The UN publishes:

- [UN Model Regulations](#)
- [UN Manual of Tests and Criteria](#)

These are updated every two years (odd-numbered years, e.g., 2025).

Member Engagement - COSTHA members can:

- Join pre-meeting calls
- Review and comment on proposals
- Provide input that may be presented at UN meeting



Council on Safe Transportation of Hazardous Articles

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UNITED STATES

In the U.S., [Hazardous Materials Regulations](#) are developed by the Pipeline and Hazardous Materials Safety Administration ([PHMSA](#)).

How the Process Works

1. A rulemaking is initiated (based on priorities, petitions, or legal requirements).
2. PHMSA drafts a proposed rule.
3. The proposal is reviewed by the Office of Management and Budget (OMB).
4. It is published as:
 - Notice of Proposed Rulemaking (NPRM), or
 - Advanced Notice (ANPRM)
5. The public submits comments.
6. PHMSA reviews feedback and issues a Final Rule.
7. The Final Rule is published with effective dates.

There is no fixed annual update cycle - rules can be issued at any time.

The Importance of the Preamble

Each rule includes a **Preamble**, which explains:

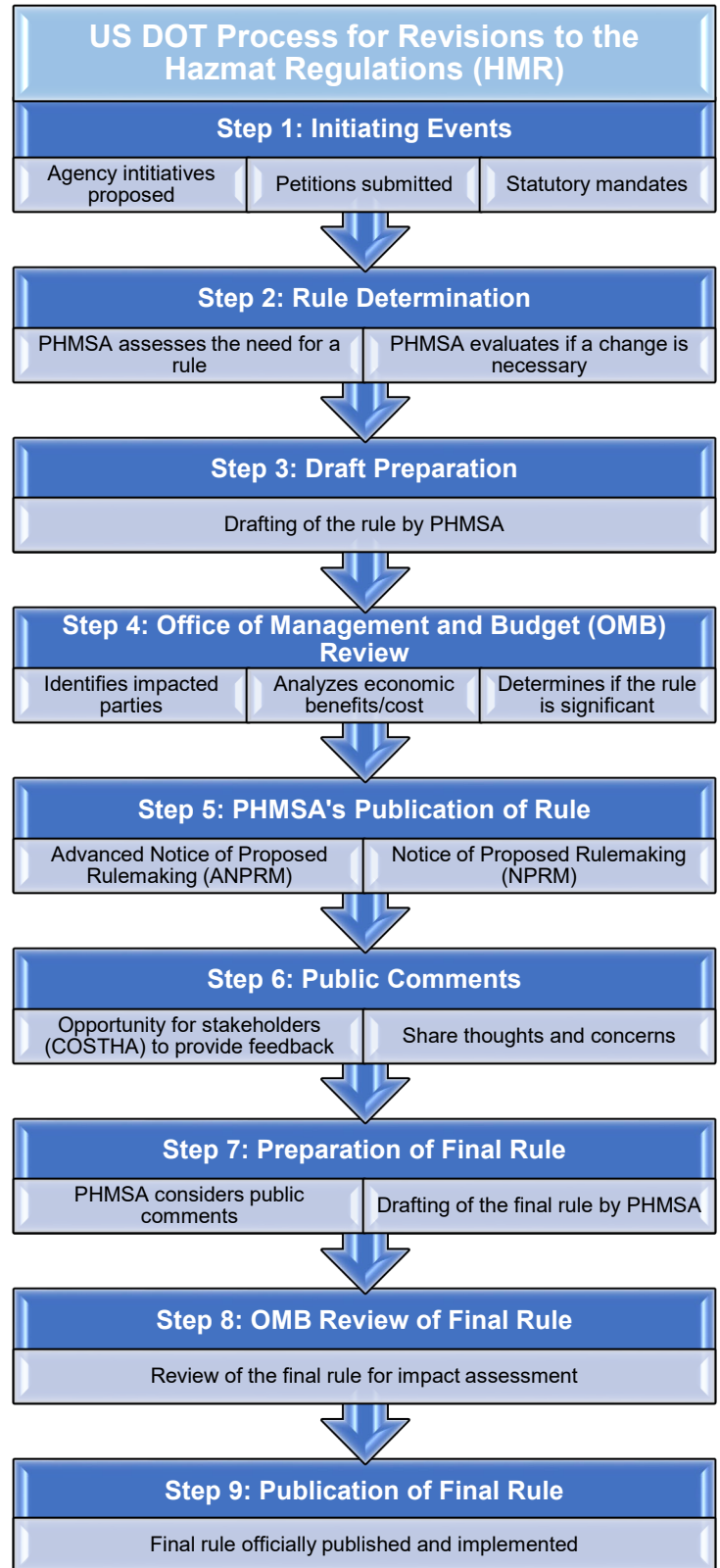
- The problem being addressed
- The intent of the regulation
- Responses to public comments

While not legally binding, the preamble is frequently used to interpret regulatory intent.

Member Engagement - COSTHA:

- Monitors the Federal Register
- Summarizes proposed and final rules
- Submits comments on behalf of members

Members can contribute input that shapes official submissions.



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CANADA

Transport Canada oversees the Transport of Dangerous Goods Regulations ([TDGR](#)).

How the Process Works

- Stakeholder consultations are held with industry, provinces, and associations
- Key groups include:
 - General Policy Advisory Council (GPAC)
 - Multi-Association Committee on TDG (MACTDG)
- Proposed changes are published in **Canada Gazette, Part I**
- Public comments are collected and reviewed
- Final regulations are published in **Canada Gazette, Part II** and become law

Member Engagement

COSTHA participates in GPAC and MACTDG meetings, giving members direct input into the regulatory revision process.

MEXICO

Dangerous goods regulations in Mexico are led by the Ministry of Infrastructure, Communications and Transportation ([SICT](#)), with support from agencies like SEMARNAT (environmental authority).

How the Process Works

- Regulatory updates are initiated based on safety, technology, or international changes
- Draft regulations are developed with stakeholder input
- Proposals are published in the **Diario Oficial de la Federación**
- Public comments are collected and reviewed
- Final rules are published and become mandatory

Updates occur periodically and may be issued throughout the year.

Member Engagement

COSTHA participates in SICT meetings and Subcommittee No. 1, sharing industry experience and proposing new amendments. Members can affect change through submitting opinions and comments through COSTHA.

EUROPEAN UNION

The European Commission leads regulatory development, working closely with international standards and EU institutions.

How the Process Works

- The Commission drafts proposals and conducts impact assessments
- The European Parliament and Council review and amend proposals
- Final regulations are adopted and published
- EU member states implement and enforce them nationally

ADR Framework

The EU follows the **ADR (Agreement concerning the International Carriage of Dangerous Goods by Road)**:



- Updated every two years (aligned with the UN)
- Published in odd-numbered years
- Includes a 6-month transition period (mandatory July 1)

Countries may adopt additional national requirements or exceptions.

Member Engagement - COSTHA:

- Participates in RID/ADR/ADN Joint Meetings
- Submits proposals
- Reports developments to members

COSTHA ENGAGEMENT, IMPACT, AND MEMBER VALUE

Although regulatory systems differ across regions, they all rely on stakeholder input, transparent review processes, and alignment with international standards. COSTHA provides a direct and effective pathway for industry to engage in these systems.

How Members Engage

Through COSTHA, members actively participate in the regulatory process by:

- Joining pre-meeting discussions and working groups
- Reviewing and commenting on proposals across jurisdictions
- Contributing technical expertise and operational insight
- Helping draft formal submissions to regulatory bodies
- Petitioning for new rulemakings and regulatory changes

COSTHA represents these contributions at key forums, including:

- United Nations Committee of Experts (UN)
- U.S. rulemakings
- Transport Canada (GPAC, MACTDG)
- Mexico SICT Subcommittee No. 1
- RID/ADR/ADN Joint Meetings

The Impact of Advocacy

This engagement translates into meaningful regulatory impact. COSTHA advocacy:

- Influences the UN Model Regulations that underpin global systems
- Helps make sure that regulations are practical, implementable, and risk-based
- Identifies and addresses unintended consequences early in the process
- Promotes harmonization across regions, reducing complexity and cost
- Supports clearer regulatory language and interpretation

Regulators depend on informed stakeholder input. COSTHA serves as a unified industry voice – bringing forward member perspectives backed by technical expertise and real-world experience.

Member-driven advocacy has contributed to:

- Revisions to proposed requirements
- Improved clarity in regulatory text and preambles
- More consistent international alignment
- Practical compliance approaches across modes and regions

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Why Membership Matters

The regulatory process is complex, technical, and difficult to influence without coordinated representation. COSTHA membership provides both access and influence.

Through membership, organizations gain:

- A seat at the table in global regulatory discussions
- The ability to shape proposals before they become law
- Representation across multiple jurisdictions through one organization
- Early visibility into regulatory changes
- Reduced compliance risk through proactive engagement

Without participation, companies are limited to reacting to finalized regulations. Through COSTHA, members help shape those regulations from the outset.

In a global environment where regulatory changes directly impact safety, operations, and cost, active engagement is not optional - it is strategic.

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