

## **§ 451.12**

### **§ 451.12 Application for approval by design type.**

(a) For approval of new containers by design type, each application must include the following:

(1) Engineering drawings and plans showing platform, end framing, welds and hardware, connections of cross-members, top and bottom rails, roof bows, detailed subassemblies of major structural components and attachments, and any other plans and drawings required by the approval authority.

(2) Design and material specifications including type and size of materials. Material specifications of the safety approval plate must also be given.

(3) The manufacturer's identification number assigned to each container in the type series.

(4) The identification code assigned to each container in the series by the owner, lessee, or bailee responsible for maintenance.

(5) The written assurance from the manufacturer, that the manufacturer will:

(i) Produce to the approval authority such containers as the approval authority may wish to examine;

(ii) Advise the approval authority of any change in the design or specification and await its approval before affixing the Safety Approval Plate to the container;

(iii) Affix the Safety Approval Plate to each container in the design type and to no others;

(iv) Keep a record of containers manufactured to the approved design type containing at least the manufacturer's identification numbers, date of delivery, and names and addresses of customers to whom the containers are delivered; and

(v) Supply to the approval authority the information contained in paragraphs (a)(3) and (4) of this section if not available at the time of original application.

(6) A statement as to whether this design type has been examined by any approval authority previously and judged unacceptable. Affirmative statements must be documented with the name of the approving authority, the reason for nonacceptance, and the

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nature of modifications made to the design type.

[45 FR 37214, June 2, 1980, as amended at 69 FR 58353, Sept. 30, 2004]

### **§ 451.13 Action by approval authority—approval by design type.**

(a) The approval authority arranges with the manufacturer, with notification to the owner, to witness the prototype tests required by the convention, and to examine any number of containers that the approval authority considers appropriate. Upon witnessing successful completion of prototype tests and examination of several containers the approval authority issues to the owner, a notice of approval which authorizes the attachment of safety approval plates to the containers. Absence of individual inspections will not relieve the manufacturer of any responsibility to maintain proper quality control. If a prototype container fails to pass the tests, the approval authority may require testing of as many further representative containers as necessary to ensure the adequacy of the design.

### **§ 451.14 Alternative approval of new containers by design type.**

(a) New containers manufactured before June 16, 1978 without being approved under the preceding section may be approved by submission to an approval authority of an application corresponding to that required under § 451.1(b) for existing containers. All new containers so approved must have safety approval plates affixed and receive their first periodic examination in accordance with the procedures prescribed in § 452.3 by January 1, 1985.

[47 FR 50496, Nov. 8, 1982]

### **§ 451.15 Application for individual approval.**

(a) For approval of new containers by individual approval, each application must include the following:

(1) The manufacturer's identification number.

(2) The identification code of the owner, lessee, or bailee responsible for maintenance of the container.