



PHMSA has published its [Notice of Proposed Rulemaking \(NPRM\), HM-215R – Hazardous Materials: Harmonization With International Standards](#). This rulemaking series has experienced significant delays over the past several cycles. As a result, the current NPRM proposes harmonization with the 2025–2026 ICAO Technical Instructions (TI) and IMDG Code 42-24, both of which became effective January 1, 2025.

When delays of this nature occur, current international regulations are not formally incorporated by reference into the 49 CFR Hazardous Materials Regulations (HMR) under 49 CFR §171.7. To address this lapse, PHMSA issued a [Notice of Enforcement Policy Regarding International Standards](#) on December 9, 2024, allowing continued use of the current international regulations. While enforcement discretion notices have been issued in recent biennial cycles, the delay associated with HM-215R is notably extensive. This notice is particularly important given that several new international UN numbers require PHMSA approval in accordance with 49 CFR §173.56.

“Comments must be received by April 13, 2026. To the extent possible, PHMSA will consider late-filed comments while a final rule is developed.”

With the next editions of the ICAO TI and IMDG Code scheduled to become effective on January 1, 2027, it is possible that the subsequent harmonization NPRM, HM-215S, could be published to align with those pending regulations before HM-215R is issued as a Final Rule.

This sequence creates a potentially complex enforcement environment, as the 49 CFR HMR may not be fully synchronized with international standards. The Enforcement Discretion Notice helps simplify compliance during this interim period. However, when Final Rules are issued, they typically include delayed compliance dates—often up to one year. Once HM-215R and HM-215S are finalized, there could be a period of up to a year or longer during which three separate versions of the HMR are simultaneously acceptable. Some may align with the 2025–2026 international regulations, others with the 2027–2028 editions, and some with neither.

Maintaining access to current regulatory information and updated training is critical to avoid potential allegations of non-compliance during this transitional period. The evolving compliance landscape may also present challenges for individual federal regulators tasked with tracking multiple effective and mandatory compliance dates. Engaging a knowledgeable consultant can be valuable in navigating this complexity and addressing any compliance concerns that may arise.