



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

JUN 11 2008

Mr. Robin E. Botle  
Regulatory Affairs Manager  
Allied Universal Corp.  
Transportation Services Unlimited, Inc.  
3901 NW 115<sup>th</sup> Avenue  
Miami, FL 33178

Ref. No.: 08-0131

Dear Ms. Botle:

This responds to your May 8, 2008 letter concerning the placement of placards on a vehicle under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if the solid black line inner border would meet the requirements of § 172.516(c)(7). You provide photos in addition to your letter that show a CORROSIVE placard mounted on a white tank.

Section 172.516(a)(7) states that each placard on a transport vehicle must be affixed to a background of contrasting color, or must have a dotted or solid line outer border which contrasts with the background color. From the photos you provided it appears that the black and white CORROSIVE placard is mounted on a white tank. If this is the case, the whites may be considered non-contrasting. Assuming they are non-contrasting, the placard must have a dotted or solid line outer border, as described in § 172.519(b)(2) and depicted in § 172.558. A solid black line inner border does not satisfy the requirement in § 172.516(c)(7).

I hope this information is helpful. Please contact us if you require additional assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Gale".

John A. Gale  
Chief, Standards Development  
Office of Hazardous Materials Standards

Suptko  
§172.516(c)(7)  
Placarding  
08-0131

Interpretation Question

Please find attached a recent citation from the State of Georgia. We are questioning both citations, but the one we would like you to review involves the placard. The citation says we are in violation of 49 CFR 172.516(c)(7). We have also attached two photos of the placards in question displayed on our cargo tankers. We have more than 50 of these cargo tankers in service with these placards throughout the Southeastern United States. They cross state lines and have been routinely inspected by Federal and State inspectors. This is the first time anyone has ever said the placards violated 49 CFR 172.516(c)(7). Furthermore, we believe the placard does have a solid black line complying with the regulation.

In the attached photos displaying a hazard class 8 placard (UN1791) on a cargo tanker, do our placards meet the requirements of 49 CFR 172.516(c)(7)?

Thank you.

Robin E. Bolte

Regulatory Affairs Manager

Allied Universal Corp.

Transportation Services Unlimited Inc.

3901 NW 115th Avenue

Miami, Florida 33178

305-888-2623, ext. 183

RobinE@Allieduniversal.com

**Drakeford, Carolyn <PHMSA>**

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**From:** INFOCNTR <PHMSA>  
**Sent:** Friday, May 09, 2008 1:02 PM  
**To:** Drakeford, Carolyn <PHMSA>  
**Cc:** 'RobinE@AlliedUniversal.com'  
**Subject:** FW: Placards, Need Your Help

**Importance:** High

**Attachments:** work 002.JPG; work 003.JPG; UXB800-080507094119.pdf



work 002.JPG (1 MB)



work 003.JPG (1 MB)



UXB800-080507094119.pdf (91 KB...

Carolyn,

This individual would like an interpretation on the issue addressed in the email below.  
Thanks,  
Rob

-----Original Message-----

**From:** Heneghan, John <PHMSA>  
**Sent:** Thursday, May 08, 2008 10:39 AM  
**To:** INFOCNTR <PHMSA>; Gorsky, Susan <PHMSA>  
**Cc:** Robin Bolte (RobinE@AlliedUniversal.com)  
**Subject:** FW: Placards, Need Your Help  
**Importance:** High

Ms. Bolte called back. 4/08/2008 Would like a formal letter of interpretation  
COMPLETED BY TELEPHONE, LEFT MESSAGE, 5/08/2008, 11:07AM GR

Susan,

Could someone from the infocenter please call Ms. Robin Eddy Bolte at 305-888-2623,ext. 183 to discuss these placards.

Thanks,

John

-----Original Message-----

**From:** Robin Eddy Bolte [mailto:RobinE@AlliedUniversal.com]  
**Sent:** Thu 5/8/2008 10:10 AM  
**To:** Heneghan, John <PHMSA>  
**Subject:** Placards, Need Your Help

Hi John-

Can you please forward this e-mail onto the appropriate personnel in your offices in Washington, D.C.? I felt e-mailing the photos would be the best way for them to see what I was talking about.

Thanks,

Robin



Georgia Department of Public Safety  
 Motor Carrier Safety Assistance Program  
 P.O. Box 1456  
 Atlanta, GA 30371-1456  
 Phone: (404) 624-7211

**DRIVER/VEHICLE EXAMINATION REPORT**  
 Report Number: GA0227004056  
 Inspection Date: 05/06/2008  
 Start Time: 01:34 PM End Time: 02:11 PM  
 Insp. Level: II-Walk-Around, Bulk HM Insp.

TRANSPORTATION SERVICES UNLIMITED INC  
 3901 NW 115TH AVE  
 MIAMI, FL 33178  
 USDOT#: 00781517 Phone#: (305)888-2623  
 MC/MX#: 316059 Fax#:  
 State#:  
 Location: VALDOSTA MilePost: 4  
 Highway: GA-38 Origin: MIAMI, FL  
 County: LOWNDES, GA Destination: MOULTRIE, GA

Driver: ALEXANDER, JAMES B  
 License#: 053737616 State: GA  
 Date of Birth: 07/23/1958  
 CoDriver:  
 License#: State:  
 Date of Birth:  
 Shipper: ALLIED UNIVERSAL COPORATION  
 Bill of Lading: 0777619  
 Cargo: X. HAZ. MAT'L. (BULK)

**VEHICLE IDENTIFICATION**

Unit	Type	Make	Year	State	License #	Company #	Vin #	GVWR	CVSA #	OOS#
1	TT	STER	2005	FL	Y1332C	2558	2FWJA3CV85AU91228	52,000		
2	ST	OTHR	2001	FL	C3956P	1503	2T9T21435YB089295	64,000		

**BRAKE ADJUSTMENTS:** No Brake Measurements Required For Level 2

**VIOLATIONS**

Section Code	Type	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
396.3(a)(1)	F	1	N		N	N	Tractor; Audible air leak at relay valve mounted to left side of frame.
172.516(c)(7)	F	2	N		N	N	Trailer; Class 8 Placards not on contrasting background; must have a dotted or solids line outer which contrasts with background; Front, Left and Right placards

**HazMat:** 8 Corrosive material

**Placard:** Yes **Cargo Tank:** 412

**Special Checks:** No Data for Special Checks.

**State Information:**

Consignee: SANDERSON FARM; Commodity Description: UN1791 HYPOCHLORITE SOLUTION 3; For Hire?: YES; Have CDL?: YES; CDL Required?: YES; DL Status Ckd? (Required): YES; Cargo Inspected?: YES;

NOTE TO DRIVER: This report must be furnished to the motor carrier whose name appears at the top of this report.

Signature Of Repairer X: \_\_\_\_\_ Facility: \_\_\_\_\_ Date: \_\_\_\_\_

NOTE TO MOTOR CARRIERS: This certification MUST BE SIGNED by a Motor Carrier Official and RETURNED (if violations are shown) WITHIN 15 days to the address on the top of this report. Out-of-service (OOS) defects must be corrected in accordance with the OOS notice, ALL NON-OOS VIOLATIONS MUST BE CORRECTED PRIOR TO THE NEXT DISPATCH.

CERTIFICATION BY CARRIER OFFICIAL: The undersigned certifies knowledge of applicable State and Federal Motor Carrier Safety and Hazardous Material Rules, Regulations, Standards and Orders, and declares all operations will be conducted in compliance with such requirements. The undersigned certifies that all violations noted on this report have been corrected and action taken to assure compliance with the Motor Carrier Safety and Hazardous Material Regulations insofar as they are applicable to motor carriers and drivers.  
 NOTICE: False Statements or Swearings are FELONIES (OCGA 16-10-20).

Signature Of Motor Carrier X: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Report Prepared By:  
 RICHARD N. YOUNG

Badge #:  
 227

Copy Received By:  
 JAMES ALEXANDER

Page 1 of 1

x *Richard N Young*

x *James B Alexander*



GA0227004056

## **§172.516 Visibility and display of placards.**

(a) Each placard on a motor vehicle and each placard on a rail car must be clearly visible from the direction it faces, except from the direction of another transport vehicle or rail car to which the motor vehicle or rail car is coupled. This requirement may be met by the placards displayed on the freight containers or portable tanks loaded on a motor vehicle or rail car.

(b) The required placarding of the front of a motor vehicle may be on the front of a truck-tractor instead of or in addition to the placarding on the front of the cargo body to which a truck-tractor is attached.

(c) Each placard on a transport vehicle, bulk packaging, freight container or aircraft unit load device must-

(c)(1) Be securely attached or affixed thereto or placed in a holder thereon. (See appendix C to this part.)

(c)(2) Be located clear of appurtenances and devices such as ladders, pipes, doors, and tarpaulins;

(c)(3) So far as practicable, be located so that dirt or water is not directed to it from the wheels of the transport vehicle;

(c)(4) Be located away from any marking (such as advertising) that could substantially reduce its effectiveness, and in any case at least 3 inches (76.0 mm.) away from such marking;

(c)(5) Have the words or identification number (when authorized) printed on it displayed horizontally, reading from left to right;

(c)(6) Be maintained by the carrier in a condition so that the format, legibility, color, and visibility of the placard will not be substantially reduced due to damage, deterioration, or obscurement by dirt or other matter;

*K*(c)(7) Be affixed to a background of contrasting color, or must have a dotted or solid line outer border which contrasts with the background color.

(d) Recommended specifications for a placard holder are set forth in appendix C of this part. Except for a placard holder similar to that contained in appendix C to this part, the means used to attach a placard may not obscure any part of its surface other than the borders.

(e) A placard or placard holder may be hinged provided the required format, color, and legibility of the placard are maintained.

[Amdt. 172-29, 41 FR 15996, Apr. 15, 1976, as amended by Amdt. 172-101, 45 FR 74668, Nov. 10, 1980; Amdt. 172-123, 55 FR 52601, Dec. 21, 1990; 65 FR 50452 August 18, 2000]

