



U.S. Department of Transportation
**Pipeline and Hazardous Materials
Safety Administration**

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

MAY 06 2013

Mr. Patrick D. Nimtz
Go Glow Placard
P.O. Box 741
Onalaska, WI 54650

Reference No. 13-0069

Dear Mr. Nimtz:

This responds to your March 29, 2013 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to certain placarding requirements. You ask for a letter of recommendation that states that your product, a light emitting diode (LED) placard frame, is "legal." In your letter, you state that your transport vehicles have LED placard frames that hold standard 10-3/4" placards, and the frames have amber LED light strips that border the placards. In addition, you state that the LED light strips get wired directly in to the marker lights and brake lights, and that they will function as such. You also state that these LED's are low lit, and are no brighter than the marker lights that are already on the trailer. Finally, you note that this interpretation letter request is in addition to a petition you had previously submitted to the Pipeline and Hazardous Materials Safety Administration (PHMSA), P-1600, for which you received a response from PHMSA dated March 13, 2013. Your questions are paraphrased and addressed below.

Q1: Is the use of these LED placard frames prohibited by the HMR?

A1: The answer is no, provided the use of them complies with all the applicable requirements in Subpart F of Part 172.

Q2: As submitted in the original petition, can PHMSA revise the HMR to require all placards to be lit in low light and night time driving?

A2: In accordance with 49 CFR § 106.105, your petition was previously denied because your petition did not include a safety analysis demonstrating justification to require placards to be illuminated during low light driving conditions. In addition, your petition did not include a quantitative estimate of the costs to upgrade cargo vehicles. Generally, such an estimate would include the initial cost of installation and maintenance. If you can provide the required information as stated in the response to the petition (P-1600), we will be glad to review it.

Please contact Mr. Steven Andrews in the Regulatory Review and Reinvention Branch of the Standards and Rulemaking Division at 202-366-8553 for more information. I look forward to working with you and your organization to ensure that hazardous materials are transported safely and securely.

I hope this information is helpful.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Glenn Foster". The signature is written in a cursive style with a large initial "T" and "F".

for T. Glenn Foster
Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

Drakeford, Carolyn (PHMSA)

Mc Intyre
§ 172.5.76
Placarding

13-0069

From: INFOCNTR (PHMSA)
Sent: Friday, March 29, 2013 1:56 PM
To: Drakeford, Carolyn (PHMSA)
Subject: FW: Letter of Request for Interpretation

Hi Carolyn,

This caller requested we submit his e-mail as a letter of interpretation. In his phone conversation with Andrew in the Info Center, Mr. Nimtz noted that this request is in addition to the petition for rulemaking change submitted on the same issue (P-1600).

Thanks,
Victoria

From: Pat Nimtz [<mailto:goglowplacard@gmail.com>]
Sent: Friday, March 29, 2013 1:04 PM
To: INFOCNTR (PHMSA)
Subject: Letter of Request for Interpretation

My name is Pat Nimtz, I'm the owner of Go Glow Placard. It is an LED placard frame that holds a standard 10-3/4" placard, this frame is no different than what is already out on the road, other than it has a amber LED light strip that borders the placard, these will be put on 3 sides of the trailer and a red LED light strip borders the placard that is placed on the rear of the trailer. These get wired in directly to the marker lights and break lights and will function the same way. These are low lit, no brighter than the marker lights that are already on the trailer. This allows the general population awareness of the carrier hauling hazardous material. In low light, bad weather, rain, fog, blizzards, etc. The tab that secures the placard, is the on and off switch, this allows the unit to be turned off when not carrying a placard. This reassures that you are not advertising when you are not carrying hazardous materials. I am looking for a signed letter of recommendation that this is legal on our trailers for our roadways. These are in compliance with all the rules and regulations of a placard frame and the compliance to marker lights.

I thank you for your time and look forward to hearing from you soon.

Sincerely,
Pat Nimtz
Go Glow Placard
[608-792-1164](tel:608-792-1164)
goglowplacard@gmail.com