



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

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

APR 01 2010

Mr. Gary LaBreck
Fleet Safety Services, Inc
12 Harvard Street
Worcester, MA 01609

Ref. No. 09-0120

Dear Mr. LaBreck:

This responds to your letter requesting clarification of the placarding requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask whether a pickup truck towing a trailer is considered two separate transport vehicles for the purposes of placarding under the HMR. Your client intends to transport less than 1,001 lbs aggregate gross weight of non-toxic compressed gases in both the pickup truck and the trailer where the total aggregate gross weight of cylinders in both cargo-carrying bodies exceeds 1,001 lbs.

As you are aware, § 171.8 of the HMR defines a transport vehicle as “a cargo-carrying vehicle such as an automobile, van, tractor, truck, semitrailer, tank car or railcar used for the transportation of cargo by any mode. Each cargo-carrying body (trailer, rail car, etc.) is a separate transport vehicle.” Additionally, you are aware that placards are not required on a transport vehicle which contains less than 454 kg (1,001 lbs) aggregate gross weight of hazardous materials covered by table 2 of paragraph (e) under § 172.504. In the scenario you describe, the pick-up truck and trailer are two separate transport vehicles each carrying less than 454 kg (1,001 lbs) of eligible hazardous materials. Therefore, neither the pick-up truck nor the trailer is required to be placarded in highway transportation.

I trust this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

Hattie L. Mitchell
Chief, Regulatory Review and Reinvention
Office of Hazardous Materials Standards

Drakeford, Carolyn <PHMSA>

From: INFOCNTR <PHMSA>
Sent: Wednesday, May 13, 2009 3:34 PM
To: Drakeford, Carolyn <PHMSA>
Subject: FW: Hazmat Information Center Feedback: General Information, Regulations, and Definitions (Sections 171.1 – 171.26)

Stevens
§171.8
§172.504
Definitions / Placarding
09-0120

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

From: PHMSA-Feedback [mailto:PHMSA-Feedback]
Sent: Wednesday, May 13, 2009 3:06 PM
To: PHMSA HM InfoCenter; PHMSA Webmaster
Subject: Hazmat Information Center Feedback: General Information, Regulations, and Definitions (Sections 171.1 – 171.26)

REQUEST FOR A INTERPRETATION LETTER

§171.8 Definitions and abbreviations.

Transport vehicle means a cargo-carrying vehicle such as an automobile, van, tractor, truck, semitrailer, tank car or rail car used for the transportation of cargo by any mode. Each cargo-carrying body (trailer, rail car, etc.) is a separate transport vehicle.

§172.504 General placarding requirements.

(c)(1) A transport vehicle or freight container which contains less than 454 kg (1001 pounds) aggregate gross weight of hazardous materials covered by Table 2 of paragraph (e) of this section; or

Could I please receive an interpretation letter on the following?

I have a client that does environmental testing. They travel with a Pickup Truck which as a GVWR of 10,001 lbs or more. They also tow a trailer that has a GVWR of 7,000 lbs or more.

They haul cylinders of compressed gas in the trailer. They keep the weight under 454kg (1001 pounds). Per 172.504(c)(1) it does not meet the placarding requirements.

Under 171.8 it states that the truck and trailer are a separate transport vehicle.

The question for the interpretation letter is, can they carry cylinders in each separate vehicle as long as each vehicle has a weight under 454kg (1001 pounds)?

Name: Gary LaBreck
Organization: Fleet Safety Services Inc.
Email: glabreck@fleet-safety.com
Address: 12 Harvard Street
City: Worcester
Zip Code: 01609
Phone: 508-868-1380
FAX: 508-831-7611