



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue SE  
Washington, DC 20590

JUN 16 2011

Mr. Patrick B. Zatopek, Senior Corporal  
Texas Department of Public Safety  
Texas Highway Patrol/Commercial Vehicle Enforcement  
5505 Avenue North  
Rosenberg, Texas 77471

Ref. No. 11-0102

Dear Mr. Zatopek:

This responds to your April 14, 2011, request for clarification on permissive placarding under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if it is permissible to display a DANGEROUS placard on a transport vehicle that contains two or more categories of non-bulk table 2 materials with an aggregate gross weight of less than 1,001 pounds.

Yes, it is permissible to display the DANGEROUS placard in the manner you describe. Section 172.502(c) authorizes placards to be displayed for a hazardous material shipment that does not require placarding provided the placarding conforms to the requirements in Subpart F of Part 172. The exception in § 172.504(c) provides relief from placarding requirements. However, the use of the exception is not mandatory.

I hope this answers your inquiry. If you need additional assistance, please contact this office at (202) 366-8553.

Sincerely,

Ben Supko  
Chief, Standards Development Branch  
Standards and Rulemaking Division

5007NE  
§ 172.502  
§ 172.504  
Placarding  
11-0102

April 14, 2011

Mr. Charles E. Betts  
Director, Office of Hazardous Materials Standards  
U.S. DOT/PHMSA (PHH-10)  
1200 New Jersey Avenue, SE East Building, 2nd Floor  
Washington, DC 20590

Dear Mr. Betts:

I am requesting written clarification on 49 CFR 172.502(c) concerning permissive placarding and 49 CFR 172.504(b) regarding "Dangerous" placarding. There seems to be some confusion in the enforcement community on whether it is permissible to display a "Dangerous" placard for a transport vehicle which contains two or more categories of non-bulk table 2 items with an aggregate gross weight of less than 1001 lbs.

In the regulation 172.504(b), it states, "transport vehicle, ... which contains two or more categories of hazardous materials that **require** different placards specified in table 2 ... may be placarded with a DANGEROUS placard instead of the placard specified for each of the materials in table 2". In the regulation 172.502(c) it states, "Placards may be displayed for a hazardous material, even when not **required**".

It does not appear that permitting a "Dangerous" placard to be displayed would affect safety from an emergency response standpoint, as long as there are two or more different categories of table 2 non-bulk items in the same transport vehicle.

I look forward to your interpretation on this matter, as it will allow for uniformity in enforcement.

Your guidance is greatly appreciated.

Thank you,



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