



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

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

**JAN 17 2013**

Mr. Aaron Dills  
223 Hicks Gap Rd.  
Blairsville, GA 30512

Ref. No. 12-0220

Dear Mr. Dills:

This responds to your September 28, 2012 request for clarification of placarding requirements under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask for clarification on visibility and display requirements for placards specified in § 172.516. In your letter, you provide photographs of your placarded transport tanks and descriptions of placarding violations you have been issued by law enforcement. Your questions are paraphrased and answered as follows:

Q1. What are the definitions of the terms “motor vehicle” and “transport vehicle” as referenced in § 172.516?

A1. A “motor vehicle” as defined in § 171.8 and referenced in § 172.516, includes a vehicle, machine, tractor, trailer, or semitrailer, or any combination thereof, propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property. It does not include a vehicle, locomotive, or car operated exclusively on a rail or rails, or a trolley bus operated by electric power derived from a fixed overhead wire, furnishing local passenger transportation similar to street railway service.

Motor vehicle cargo carrying components are considered transport vehicles. As defined in § 171.8 and referenced in § 172.516, a “transport vehicle” is a cargo carrying vehicle, such as an automobile, van, tractor, truck, semi-trailer, tank car, rail car used for the transportation of cargo by any mode. Each cargo carrying body (trailer, rail car, etc.) is a separate transport vehicle.

Q2. Section 172.516 states that each placard on a motor vehicle must be clearly visible from the direction it faces, except from the direction of another transport vehicle to which the motor vehicle or rail car is coupled. What does the language “Except from the direction of another transport vehicle used in § 172.516(a) mean? You consider the language “except from the direction of another transport vehicle” to mean the view looking straight at the truck and trailer while being attached together.

A2. The language “[e]xcept from the direction of another transport vehicle” used in § 172.516(a) means a placard is not required on a truck tractor/semi-trailer configuration if the front of the truck tractor (motorized unit) of the semi-trailer (tank) is placarded on each side and each end. In your example, your understanding is correct, a placard is not required on the front of the truck tractor if the tank is placarded on each side and each end, even if the placard on the front of the tank is not visible.

Q3. What does PHMSA consider the front of the tank vehicle or transport vehicle as referenced in § 172.516? It is your understanding that the front or rear of a tank to be anywhere on the tank head or tank tail.

A3. PHMSA does not define the term “front” with regard to tank or transport vehicles. However, PHMSA considers a forward or rear facing placard, mounted so that its plane is substantially perpendicular to the longitudinal axis of the vehicle, is considered to be visibly mounted on the end (i.e. front or back) of the transport vehicle. Additionally, when the front of a transport vehicle is blocked by another transport vehicle (e.g., the truck tractor blocks the front of the semi-trailer), it is our opinion that mounting a placard on the front of the truck tractor in accordance with § 172.516(b), although not the only permissive method, is the most effective means of satisfying the visibility requirements in § 172.516(a).

Q4. Is a placard required to be placed on the front of a trailer/tanker if it is hooked to a tractor?

A4. Sections 172.504 and 172.516 requires each transport vehicle to be placarded on each side and each end, and, each placard on a motor vehicle must be clearly visible from the direction it faces, except from the direction of another transport vehicle (e.g. a tractor) to which the motor vehicle is coupled. The required placarding of the front of a motor vehicle may be on the front of a truck tractor (motorized unit) instead of OR in addition to the placarding on the front of the cargo body (tank) to which a truck tractor is attached.

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

Sincerely,



Robert Benedict  
Chief, Standards Development Branch  
Standards and Rulemaking Division

**Drakeford, Carolyn (PHMSA)**

Boothe  
§ 172.516  
§ 172.101

**From:** INFOCNTR (PHMSA)  
**Sent:** Friday, September 28, 2012 3:05 PM  
**To:** Drakeford, Carolyn (PHMSA)  
**Subject:** FW: Fw: Fw: 172.516 INTERPRETATION/YES or NO ?  
**Attachments:** GT-51 PT-33 1075 PLACARD.jpg; LNG 1972 PLACARDS.jpg; PT-7 1075 PLACARD.jpg; How to UNZIP.html; SecureZIP Attachments.zip

Placarding  
12-0220

Carolyn,

We received the following request for a formal letter of interpretation.

Thanks,  
Victoria

---

**From:** Aaron Dills [mailto:aaron.dills@goochtrucking.com]  
**Sent:** Friday, September 28, 2012 2:47 PM  
**To:** INFOCNTR (PHMSA)  
**Subject:** Fw: Fw: Fw: 172.516 INTERPRETATION/YES or NO ?

Every time I read this I arrive at another question as you can tell please read and decipher all that you can....

1. Hello, this is a request for an interpretation of not only 172.516 but any reg. that has to do with placarding of a hazmat load.
2. The first attached is the info from Ref. No. 08-0098 which is somewhat helpful but did not directly answer my question.
3. The second is PT-7 1075 placard, a picture of my trailer that received the placard violation.
4. The third is PT-7 violation warning.
5. The fourth is GT-51 PT-33 1075 placard view similar to most of my trailers.
6. The fifth is LNG 1972 placard view similar to most of our trailers.

**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. Does this mean if I have a 500 gallon LPG tank loaded on my 48 foot

flashed with a headboard on the trailer that it will be legal to put all the placards on the tank itself and not get a ticket? However they will not be visible from the front of the truck or trailer.????????

Question 1. In this section what exactly is a motor vehicle ( just a truck)? Except from the direction of another transport vehicle? I consider this to be looking straight at the truck and trailer while being attached together. Is that correct.?

(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.

Q 2. Now after reading (b) I consider a motor vehicle to be a truck and trailer. Which would have been much easier said. As you can see in my pictures all our tanks have the placards on the front. Where is the front? The MC 331 has a half circle welded on. MC 338 is a semi half circle. There is a distinct weld line between tank shell and tank head. All these years i have considered the front or rear to be anywhere on the tank head or tank tail. What is the direct yes or know answer as to where the front or rear is located?

In this (b) it says MAY be on the front of a truck-tractor instead of or in addition to the placarding on the front of the cargo body. I know there are placards on the front of all my trailers that are viewable from the front while sitting on my yard that have all passed hundreds of inspections over the years. Now there is a officer that says it is not visible from the front left. It was moved as you can see in the picture only because another DOT rep. wrote a warning because the sticker was behind the air lines and it was obstruction the view.

If the placard was on the truck instead of on the trailer there is gonna be another DOT rep. write a ticket because its not on the trailer. Someone should draw a straight line to all these questions that myself and other people have but instead it is left up to DOT discretion. That is an awful way to get a reply from a DOT officer. Does the trailer need the placard if the truck has it on the front? Does the truck need the placard if the trailer has it on all 4 sides? Yes or No?

When placarding is required by 172.504(a) of the HMR, a transport vehicle must be placarded on each side and each end. This says yes all 4 sides. If you cant see it from the front whats the point?The HMR require a placard to be clearly visible from the direction it faces, except from the direction of another transport vehicle to which it is coupled (coupled trailer to a tractor?) (see 172.516(a)) and 516 is not clear to most people there is to much room for different opinions. For purposes of the HMR, a "transport vehicle" is a cargo-carrying vehicle, such as a van, tractor, trailer, semi-trailer,(TANKER?), tank car, or rail car used for the transportation of cargo by any mode. The truck carries the trailer the trailer carries the load... Each cargo-carrying body is a separate transport vehicle. In accordance with 171.8, a transport vehicle with no intermediate form of containment meets the definition of a bulk packaging.

Ref. No. 08-0098

Therefore, this letter clarifies that in the truck-tractor trailer configuration that you describe, a forward or rear facing placard, mounted so that its plane is substantially perpendicular to the longitudinal axis of the vehicle, may (must?) be on the fender as long as it is visibly mounted on the end of the transport vehicle.( This does not apply to my question we do not put placards on any fender. However if they were on a fender and not visible from the front of the truck we will arrive at the same problem again or in my situation the officer would have

REG 05-0309  
#K

said he couldn't see it from the left front if it was on the front right fender??)... You should also note, when the front of a transport vehicle (Tanker?) is blocked by another transport vehicle( Truck/tractor?) (e.g., the truck tractor blocks the front of the semitrailer(Tanker?) it is our opinion (There should only be laws not opinions this leads to a DOT discretion/opinion) that mounting a placard on the front of the truck-tractor in accordance with 172.516(b) is the most effective means of

satisfying the visibility requirements in 172.516(a). In the top of this paragraph you just stated that it may (must?) be on the fender as long as it is visibly mounted on the end of the transport vehicle....

Q 3. Why will no one answer a direct question with a direct answer. I have spoke to 6 six different opinionated people about this and 3 were at the <http://phmsa.dot.gov/regulations> 2 of them agreed to disagree and the 3rd told me to ask for an interpretation. I assume the way you will arrive at an exact answer is to take a vote to see how many different agreeable opinions that is thrown out there.

Bottom line is, where is the front and does the placard have to be on the front of trailer/tanker if it is hooked to a tractor?

Aaron Dills  
Blairsville GA. 30512  
Cell# 706-897-3505



**LIQUEFIED PETROLEUM GAS**

PT-7





**LIQUEFIED PETROLEUM GAS**

PT-7

