



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

400 Seventh Street, S.W.  
Washington, D.C. 20590

SEP - 8 1999

Ms. Delinda Arnold  
Manager, PCC/Raw Materials  
Toyota Motor Manufacturing, Kentucky, Inc.  
P.O. Box 2700  
Georgetown, KY 40324-5700

Ref. No. 99-0165

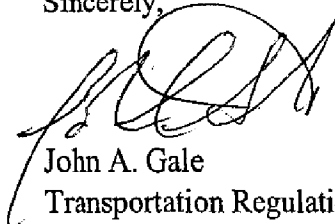
Dear Ms. Arnold:

This is in response to your letter dated June 14, 1999, regarding the removal of hazard warning labels on empty packagings as described in § 173.29 of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). In your letter you stated that you use two different loading trucks, a side loading and a rear loading truck. The side loading truck is only opened by the consignor or consignee, while the rear loading truck may be opened by several consignees. Specifically, you ask if the warning labels need to be removed prior to returning empty packagings on these trucks.

Empty packagings shipped under the provisions of § 173.29(b) are not subject to the HMR provided any hazardous material shipping name and identification number markings, any hazard warning labels or placards, and any other markings indicating that the material is hazardous (e.g., RQ, INHALATION HAZARD) are removed, obliterated, or securely covered in transportation. However, markings and labels may remain on packagings when transported in a transport vehicle or a freight container in which the packagings are not visible during transportation and the packagings are loaded by the shipper and unloaded by the shipper or consignee (§ 173.29(b)(1)). Therefore, in your scenario the labels and markings may remain if the packagings in the side loading truck are not visible in transportation and are loaded by the shipper and unloaded by the shipper or consignee. However, packagings transported in the rear loading truck must have the markings and labels removed, obliterated or securely covered if the packagings will be visible to persons other than the shipper or consignee while the packagings are in transportation.

I hope this satisfies your request.

Sincerely,



John A. Gale  
Transportation Regulations Specialist  
Office of Hazardous Materials Standards



990165

173.29

# TOYOTA

TOYOTA MOTOR MANUFACTURING, KENTUCKY, INC.

June 14, 1999

1001 Cherry Blossom Way  
P.O. Box 2700  
Georgetown, KY 40324-5700  
(502) 868-2000

Mr. Edward Mazzullo  
Chief, Standards Branch  
Research and Special Programs Administration  
U.S. Department of Transportation  
400 Seventh Street, SW  
Washington, DC 20590-0001

BAL  
§ 173.29  
99-0165

Dear Mr. Mazzullo:

Ref: 49CFR 173.29(b)(1)

Currently, Toyota Motor Manufacturing Kentucky (TMMK) receives several hazardous material automotive parts from various suppliers. The empty containers for these hazardous parts are then returned to the suppliers.

TMMK's logistic routes are designed to pick up and/or return parts or empty containers to our suppliers. The truck routes may have one to ten suppliers per route.



Per 49CFR 173.29(b)(1), Hazard warning labels or placards are removed, obliterated or securely covered unless being transported in a transport vehicle or a freight container as long as the packaging is not visible in transportation and packaging is loaded by the shipper and unloaded by the shipper or consignee.

TMMK is requesting a written interpretation of 49CFR 173.29(b)(1) as it pertains to our business situations:

1: TMMK uses side loading trucks. If the empty containers are loaded on this type of truck, the consignee would be able to unload the empty containers at their facility even if the truck is on a multi-supplier route. The side loading truck offers the ability to not have to unload other suppliers' empty containers to get to empty containers to be offloaded.

2: TMMK also uses rear loading trucks. These trucks also travel the multi-supplier routes. There is a probability that other suppliers' empty containers would have to be removed to get to the empty containers to be unloaded.

Do we need to remove the hazard warning labels prior to returning the empty containers based on the two scenarios above and based on the translation of 49CFR 173.29(b)(1)?

Please advise in the form of a written interpretation. If you have any questions, I can be reached at (502) 868-2741.

Sincerely,

Delinda Arnold, Mgr. PCC/Raw Materials

cc: Steve Hunt, ShipMate, Inc.  
Rosemary Taylor, PCC/Log