



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

JUN 23 2006

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

Mr. Richard E. Eads
Quality Assurance Specialist
Ammunition Surveillance (QASAS)
AMCOM, U.S. Army Garrison
Redstone Arsenal, AL 35898-5000

Reference No. 05-0309

Dear Mr. Eads:

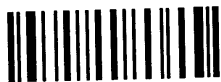
This is in response to your letter requesting clarification on the correct display of placards on the front of a tractor-trailer motor vehicle under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if the placard must appear on the front of the truck's tractor or if it may appear on the front of its trailer. We apologize for the delay in responding and any inconvenience this may have caused.

When placarding is required by § 172.504(a) of the HMR, a transport vehicle must be placarded on each side and each end. 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 (see § 172.516(a)). For purposes of the HMR, a "transport vehicle" is a cargo-carrying vehicle, such as a van, tractor, trailer, semi-trailer, tank car, or rail car used for the transportation of cargo by any mode. Each cargo-carrying body is a separate transport vehicle. Thus, in the example you cite of a truck tractor with a flatbed trailer, a placard is not required on the front of the truck tractor if the flatbed trailer is placarded on each side and each end, even if the placard on the front of the flatbed trailer is not visible.

We appreciate your concern that the exception in § 172.516 could have implications for emergency responders at an accident scene. We considered this issue, that is the visibility of the front placard on the trailer being obscured by the attached tractor, in an advance notice of proposed rulemaking published under Docket No. HM-206 (57 FR 24532, June 9, 1992). Based on the comments received in response to the ANPRM stating revisions to the placard visibility requirements were not necessary, we proposed no revisions in the notice of proposed rulemaking (Docket No. HM-206, 59 FR 41848, August 15, 1994).

Sincerely,

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



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172.504
172.516

Edmonson
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Placarding
05-0309

01 December 2005

MEMORANDUM FOR Office of Hazardous Materials Standards, Research and Special Programs Administration

SUBJECT: Interpretation of Part 172.504 and 172.516 of 49 CFR

1. Summary of proposed action:

a. Request that Parts 172.504 and 172.516 of 49 CFR be made clearer to the layman, specifically regarding placarding of transport vehicles and the ability of the placards to be seen in traffic and by first responders from all directions.

2. Proposed language amendment to:

a. Subpart 172.504 (a)

(1). General. Except as otherwise provided in this subchapter, each bulk packaging, freight container, unit load device, transport vehicle or rail car containing any quantity of a hazardous material must be placarded on each side and each end with the type of placards specified in Tables 1 and 2 of this section and in accordance with other placarding requirements of this subpart, including the specifications for the placards named in the tables and described in detail in subpart 172.519 through 172.560. **The placards must be placed so that they are visible from all directions while in transit.**

b. Subpart 172.516 (b)

(1). 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 the truck-tractor is attached. **Placarding done to the front of the cargo body must be visible to oncoming traffic, particularly first responders. If it is not visible from the front of the truck-tractor (to which the cargo body is attached), the truck-tractor must be placarded.**

3. My interest in this stems from my 23 years of work and training in the field of HAZMAT shipments. I am required to be recertified every 2 years to be able to ship HAZMAT by all modes of transportation world wide. In the 23 years I have personally been involved in this process I have never heard or seen anything like what took place here at Redstone Arsenal this week. We had a truck-tractor with a flatbed loaded with 1.1 explosive items about to leave our area to head to the West Coast. I arrived at the location of the truck-tractor and noticed that I didn't see any explosive placard posted to the front of the vehicle. I spoke with the driver and he told me he wasn't going to put one

on the front because he had one on the front of the trailer. I informed him that it was required to be on the front of the truck-tractor since the one on the front of the trailer was not visible. He proceeded to tell me I was wrong and I needed to call his HAZMAT Trainer. After speaking with his trainer who also informed me I was wrong and that he has been teaching this way of placarding for his company for over 12 years. That is how I got involved directly in the issue. I spoke with 3 different people at the DOT (Frank no last name given, Rob Benedict and Ryan Paquet) to get clarification. I was given 2 different answers one day and the next day one of the people I spoke with proceeded to change his mind about the rule. My belief is since this is so difficult to understand by those in the field that enforce the rules and by the trucking companies as well as the experts at the DOT then we need to make it clearer.

4. Information and arguments that support: I have passed this around the office here where we have 6 total QASAS personnel with over 100 years of combined experience; all of us agree that this new interpretation flies in the face of all those years of experience and training. I can say that I have never had this problem arise before. I have worked at numerous installations worldwide dealing with the transport of HAZMAT and this is the first time I've heard this new interpretation of the rules. Our understanding has always been that the placarding of the vehicle was for those people who may have to respond to an emergency dealing with the HAZMAT on board. With that being our pretext it seems only logical that placards for the hazard must be viewable from all sides including the front. Emergency responders rely on this placarding system to know how to appropriately respond. If they were to approach from the front of the truck-tractor and the placard was only on the trailer and not viewable (because the truck-tractor was in the way) as they approached it could have catastrophic consequences.
5. No additional cost will be involved to anyone in this proposed action if implemented.
6. No environmental impacts are involved in this proposal.
7. POC is Richard Eads, QASAS, phone (256) 842-9086



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