



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

Mr. John L. Conley
Vice President
National Tank Truck Carriers, Inc.
2200 Mill Road
Alexandria, VA 22314-4677

APR 3 1998

Dear Mr. Conley:

This is in response to your request for clarification of certain requirements for cargo tank motor vehicles in the Hazardous Materials Regulations (HMR; 49 CFR Parts 171 - 180). Your questions are paraphrased and answered as follows:

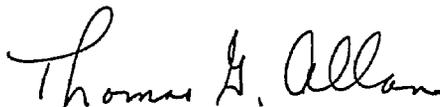
- Q1. When a carrier has to perform a periodic test or inspection as required by § 180.407(c), does the carrier have until the last day of the month or must the next test or inspection be performed based on the exact date as the previous test or inspection?
- A1. A carrier has until the last day of the month and year in which the inspection or test is due. For example, if a test or inspection report reflects that an external visual inspection was performed on January 15, 1994, the carrier has until January 31, 1995, to perform the required test or inspection.
- Q2. Section 172.328(b) requires that each cargo tank transporting a Class 2 material must be marked on each side and each end with the proper shipping name of the product being transported, can the proper shipping name be displayed on the cargo tank itself or on a sign bracket installed on the cargo tank?
- A2. Either method may be used to display the proper shipping name on the cargo tank.
- Q3. In the case of a bobtail tank truck, i.e. the cargo tank is mounted on a truck chassis, can the marking be displayed on the cargo tank itself or on the front of the cab?
- A3. Display of the shipping name on the front bumper of the motor vehicle hauling a cargo tank does not satisfy the marking requirement in § 172.328(b). For gases such as "Propane," the shipping name must be marked and displayed in lettering, no less than 50 mm (2.0) inches), on each side and each end of the cargo tank.

Q4. In the case of a tractor semi-trailer combination, can the marking be displayed on the cargo tank itself or on the front of the cab?

A4. See answer A3 above.

I hope this information is helpful and I apologize for the delay in responding. If we can be of further assistance, please contact us.

Sincerely,



Thomas G. Allan

Senior Transportation Regulations Specialist
Office of Hazardous Materials Standards



NATIONAL TANK TRUCK CARRIERS, INC.

THE NATIONAL ORGANIZATION SERVING THE FOR-HIRE TANK TRUCK INDUSTRY

CLIFFORD J. HARVISON
PRESIDENT

2200 MILL ROAD • ALEXANDRIA, VA 22314-4677
PHONE: 703/838-1960 • FAX: 703/684-5753

June 12, 1997

Mr. Ed Mazzullo
Office of Hazardous Materials Standards
Research and Special Programs Administration
400 7th St. S.W.
Washington DC 20590

Dear Mr. Mazzullo:

National Tank Truck Carriers would appreciate an interpretation for the following situations:

Section 172.328 (b) "Required Markings; Gases," states that each cargo tank transporting a Class 2 material must be marked on each side and each end with the proper shipping name of the product transported.

1. Our interpretation is that the proper shipping name could be displayed on the cargo vessel itself OR on a sign bracket installed on the cargo vessel (trailer or bobtail).
2. Our interpretation is that in the case of a bobtail delivery truck (cargo tank mounted on truck chassis) the marking could be displayed on front of the chassis cab and the vehicle would be in compliance.
3. Our interpretation is that in the case of a tractor-semi-trailer combination, the marking could be displayed either on the front of the cargo tank OR on the front of the tractor and the vehicle would be in compliance.

Please advise if our interpretations are correct.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "John L. Conley".

John L. Conley
Vice President



NATIONAL TANK TRUCK CARRIERS, INC.

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CLIFFORD J. HARVISON
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January 17, 1995

Mr. Edward Mazzullo
Office of Hazardous Materials Standards (DHM-10)
Research and Special Programs Administration
400 7th St. SW
Washington D.C. 20590

Dear Mr. Mazzullo:

This is a follow-up request to a request for interpretation submitted by NTTC on June 4, 1993. No answer has been received.

Section 180.417 (b) (1) (iv) states that each cargo tank tested or reinspected as specified in 180.407 must have a written report that includes the "Test Date (Month and Year.) Likewise, 180.415 requires that the cargo tank be marked with the date (month and year) of the inspection.

While there is no requirement (of which we are aware) that requires the carrier to record the DAY of the inspection, some carriers do record the DAY of inspection, along with the month and year. We have received calls from carriers cited for violation of 180.407 because the test or inspection was not completed within one year (or whatever interval applies) to the EXACT day of the inspection/test due month.

For example, a carrier may have performed an external visual inspection on January 15, 1994. It is our belief that the carrier has until the end of January 1995 to complete the next inspection, but some carriers have been told that the inspection must have been completed by January 15, 1995.

QUESTION: Does a carrier have until the last day of the inspection/test due month to perform a test or inspection in accordance with 180.407?

Sincerely,

John L. Conley
John L. Conley
Vice President

cc: Alan Roberts
Ron Kirkpatrick