



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

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

October 16, 2003

Mr. Alan I. Roberts, President
Dangerous Goods Advisory Council
1101 Vermont Avenue, Suite 301
Washington, D.C. 20005

Dear Mr. Roberts:

This is in reference to our October 15, 2003 telephone conversation regarding the transport of diesel fuel, with a flash point at or above 100 °F and below 200 °F, in cargo tank motor vehicles under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

As I stated in our conversation, diesel fuel is not required to be transported in a DOT specification cargo tank motor vehicle. The entry for "Diesel fuel" in the § 172.101 Table contains references to § 173.150 and Special provision B1. Section 173.150(f)(3) provides for diesel fuel classed as a combustible liquid to be transported in a non-DOT specification cargo tank (bulk packaging) that meets the general requirements contained in §§ 173.24 and 173.24b. Special provision B1 also provides for a non-DOT specification cargo tank motor vehicle, as specified in § 173.241(b). The display of a DOT specification plate applies to a cargo tank motor vehicle manufactured to meet an applicable DOT or MC specification and not to non-specification cargo tanks.

I hope this satisfies your inquiry. Should you have any further questions, please contact this office.

Sincerely,

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