



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

February 21, 2024

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 21609

EXPIRATION DATE: 2026-01-31

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Polaris Industries Inc.
Medina, MN
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce aboard cargo-only aircraft of lithium ion batteries each with a mass exceeding 35 kg net weight per package. This special permit provides no relief from the Hazardous Materials Regulations (HMR) or the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO TI) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
 - c. No party status will be granted to this special permit.
 - d. This special permit serves as an approval under Special Provision A99 of the ICAO TI, as an approval under 49 CFR 173.185(b)(5), and as a "Competent Authority Approval" as defined under 49 CFR § 107.1.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.101 Hazardous Materials Table Column (9B) in that a battery may not exceed 35 kg, except as specified herein.
5. BASIS: This special permit is based on the application of Polaris Industries Inc. dated July 11, 2023, submitted in accordance with § 107.105 and the public proceeding thereon.

Tracking Number: 2023075242

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Lithium ion batteries <i>including lithium ion polymer batteries</i>	9	UN3480	N/A

7. SAFETY CONTROL MEASURES:a. PACKAGING:

- (1) Each battery must weigh 12 kg or greater and have a strong, impact-resistant outer casing.
- (2) Each battery must be wrapped with a non-metallic bag to separate the battery from contact with the crate lid or electrically conductive materials.
- (3) Each battery must be packaged in a UN Standard 4D wooden box that is tested and certified as meeting the Packing Group I performance level. The 4D wooden box must be placed on a pallet.
- (4) The requirements in Packing Instruction 974 of the Supplement to the ICAO TI must be met.

b. OPERATIONAL CONTROLS:

- (1) The battery modules comprising a battery authorized to be offered for transportation under the terms of this special permit must conform to the application dated July 11, 2023, including the cell make up, cell and module connection, and the energy contents of the cell, the module, and the batteries and on file with the Office of Hazardous Materials Safety (OHMS).
- (2) The terminals of the cells, battery modules, and batteries must be protected to prevent against external short circuits.
- (3) The batteries must be packaged such that terminals are not subjected to the weight of materials that may be superimposed during transportation.

- (4) A battery must be equipped with a battery management device verified to prevent overcharge, short circuits and over discharge between modules.
- (5) The cells and battery modules connected in parallel must be equipped with an effective means to prevent dangerous reverse current flow.
- (6) The state of charge for lithium ion batteries must be not more than 30% when offered for transportation aboard aircraft.
- (7) Not more than one battery may be packaged within an outer packaging.
- (8) The net weight of the battery within each package must exceed 35 kg, and the gross mass of a package may not exceed the weight specified in the July 11, 2023, application on file with the OHMS.

c. TESTING REQUIREMENTS:

- (1) The battery modules must consist of cells that have passed all required tests in accordance with Section 38.3 of the UN Manual of Tests and Criteria, 6th Revised Edition. The authorized cells are Farasis Energy Inc. Model IMP14294105P73 and must conform to the test submitted on July 11, 2023, and on file with OHMS.
- (2) The battery modules must have passed all required tests in accordance with Section 38.3 of the UN Manual of Tests and Criteria, 7th Revised Edition.

d. MARKING REQUIREMENTS: Each package, and overpack if used, prepared under the provisions of this special permit must be plainly marked with the special permit number DOT-SP 21609.

8. SPECIAL PROVISIONS:

- a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package and it is reoffered for transportation in conformance with this special permit, the HMR, and the ICAO TI.
- b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

c. This special permit in no way affects the need to obtain any required authorizations from other agencies of the United States Government or from the competent authorities of countries of origin, transit, destination, and the State of Operator.

d. The grantee must maintain the following record and upon request make this record available to DOT representatives or enforcement officials. The record must contain a listing and number of shipments made to include:

- (1) Dates of shipment; and
- (2) Description of each type of shipment.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo-only aircraft.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each aircraft used to transport packages covered by this special permit. The shipper must furnish a copy of this special permit to the air carrier before or at the time the shipment is tendered.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each “Hazmat employee”, as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) — “The Hazardous Materials Safety and Security Reauthorization Act of 2005” (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term

“exemption” to “special permit” and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. **REPORTING REQUIREMENTS:** Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for William Schoonover
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-13, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at <https://www.phmsa.dot.gov/approvals-and-permits/hazmat/special-permits-search>. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: SH/TG