May 28, 2026

Hazardous Materials Information Center

Office of Hazardous Materials Safety

U.S. Department of Transportation

1200 New Jersey Avenue, SE

Washington, DC 20590

Re: Formal Request for Regulatory Interpretation — Applicability of Hazardous Materials Regulations to LiFePO4 Battery Packs Integrated into a Commercial Trailer's Operational Landing Gear System

Dear Office of Hazardous Materials Safety:

We respectfully submit this request for a formal written regulatory interpretation pursuant to 49 CFR 171.1 and PHMSA's Letters of Interpretation process regarding the applicability of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171–180) — specifically the placarding, shipping paper, and hazmat endorsement requirements — to Lithium Iron Phosphate (LiFePO4) battery packs that are permanently integrated into the operational landing gear system of a commercial over-the-road semi-trailer.

This question is material to our compliance obligations for over-the-road transport operations involving the LFL system. We have reviewed PHMSA Interpretation Response No. 25-0012 (TTI Power Equipment, Inc., issued May 1, 2025) and Letter of Interpretation No. 22-0017, both of which provide relevant guidance on Class 9 hazardous materials requirements for ground transportation of lithium batteries. However, those interpretations address batteries shipped as cargo or packed with equipment for commercial shipment. Our situation presents a distinct factual scenario: the batteries are not being transported as cargo — they are permanently integrated into the trailer's own mechanical systems and power the trailer's functional operations.

STATEMENT OF FACTS

The relevant facts are as follows:

1. The LFL trailer is a commercial semi-trailer operated over public roads in interstate commerce by motor carrier.
2. The trailer is equipped with LiFePO4 (Lithium Iron Phosphate) 12.8-volt battery packs. These battery packs are permanently and fully enclosed within the LFL housing, which is an integrated structural and functional component of the trailer.
3. The LiFePO4 battery packs are the dedicated power source for the trailer's electric landing gear system. The landing gear system is a standard operational component of the trailer, used to raise and lower the trailer legs during coupling and uncoupling with a tractor and during loading and unloading operations.
4. The batteries are not being transported as a commercial shipment, sold, transferred, or offered for delivery to any consignee. They are not packaged as cargo. They are

permanently mounted within the trailer's structure and are integral to the trailer's own mechanical operation.

5. The semitractor that tows the LFL trailer uses standard AGM (Absorbent Glass Mat) lead-acid batteries for its vehicle starting and electrical systems. AGM batteries are not classified as hazardous materials under the HMR.
6. No LiFePO4 batteries are transported loose, uninstalled, or as separate cargo at any time during the LFL trailer's over-the-road operations.

QUESTIONS PRESENTED

We respectfully request PHMSA's written interpretation on the following questions:

7. Whether LiFePO4 battery packs that are permanently integrated into a commercial trailer's landing gear system as the operational power source for that system constitute **hazardous materials "offered for transportation" or "transported"** within the meaning of 49 CFR 171.1, or whether such batteries are analogous to vehicle fuel, starting batteries, or other operational equipment that is necessary for the vehicle's own function and therefore excluded from the HMR's cargo and shipment requirements.
8. If the LiFePO4 battery packs described above **are** subject to the HMR, whether Class 9 placarding is required on the trailer under 49 CFR 172.504, or whether the exemption at 49 CFR 172.504(f)(9) — which provides that Class 9 placards are not required for domestic transportation — applies to relieve any placarding obligation.
9. Whether the driver of the semitractor pulling the LFL trailer is required to hold a Hazardous Materials (H) CDL endorsement under 49 CFR 383.93 if the LiFePO4 batteries are permanently installed in the trailer's landing gear system and not transported as cargo, with reference to Letter of Interpretation No. 22-0017.
10. Whether shipping papers (bill of lading) declaring the LiFePO4 batteries as hazardous materials are required under 49 CFR 172.200 for each transport of the LFL trailer, given that the batteries are not being offered for shipment but are permanent operational equipment of the trailer itself.

REGULATORY CONTEXT AND BASIS FOR REQUEST

PHMSA Interpretation No. 25-0012 confirms that Class 9 placards are not required for domestic ground transportation of lithium batteries pursuant to 49 CFR 172.504(f)(9), and that lithium batteries complying with 49 CFR 173.185(c) are not subject to certain hazard communication or training requirements under Part 172 Subparts C through H for domestic ground transport. However, Interpretation No. 25-0012 addressed batteries shipped as commercial cargo (UN3481 — lithium ion batteries packed with equipment) being transported as a shipment to a consignee.

Our situation is factually distinct. The 49 CFR 171.1 scope provision states that the HMR apply to persons who "offer hazardous materials for transportation" or "transport hazardous materials." A vehicle's own operational power source — such as diesel fuel, a diesel fuel tank, or a starting battery — is generally understood not to be "offered for transportation" by the vehicle operator. The LFL trailer's LiFePO4 landing gear batteries are analogous: they are permanent operational equipment, not cargo.

We respectfully submit that the distinction between batteries as cargo and batteries as a vehicle's own operational equipment is a significant compliance question for the commercial motor vehicle

industry, particularly as electric and hybrid power systems become more common in trailer applications. A formal PHMSA interpretation on this point would provide critical guidance.

CONTACT INFORMATION AND REQUEST FOR RESPONSE

We respectfully request that PHMSA provide a written formal interpretation letter in response to the questions presented above. We understand that interpretation letters reflect PHMSA's current application of the regulations to the specific facts presented and that they are not generally applicable or legally binding on third parties.

For correspondence and response, please contact the undersigned at the following:

LFL — Regulatory Compliance Contact

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We appreciate PHMSA's time and attention to this matter and look forward to receiving official guidance. Please do not hesitate to contact us if any additional information or clarification would be helpful in processing this request.

Respectfully submitted,

Brad Battershell

WORTH-IT
President/CEO
320 Peninsula Drive
Fort Wayne, IN. 46814
May 28th, 2026

REFERENCES

11. PHMSA Interpretation Response No. 25-0012, TTI Power Equipment, Inc. (May 1, 2025) — Class 9 placarding requirements for lithium-ion batteries transported by domestic highway. Available at: https://www.phmsa.dot.gov/regulations/title49/interp/25-0012
12. PHMSA Letter of Interpretation No. 22-0017 — Applicability of DOT requirements to Class 9 hazardous materials, including CDL hazmat endorsement requirements.
13. 49 CFR 171.1 — Applicability of Hazardous Materials Regulations.
14. 49 CFR 172.504(f)(9) — Class 9 placards not required for domestic transportation.
15. 49 CFR 173.185(c) — Lithium cells and batteries — small and medium lithium cells and batteries.
16. 49 CFR 383.93 — Endorsements for commercial drivers — Hazardous Materials endorsement.
17. 49 CFR 172.200 — Applicability of shipping paper requirements.
18. 49 CFR 177.834 — General requirements for safe stowage of hazardous materials in a motor vehicle.