



Ref. No. 26-0103
Horne, T.

July 14, 2026

Director, Standards and Rulemaking Division

Mr. Shane Kelley
U.S. DOT/PHMSA (PHH-10)
1200 New Jersey Avenue, SE
East Building, 2nd Floor
Washington, DC 20590

Subject: Request for Letter of Interpretation Regarding 49 CFR § 173.315(j)(2)(iv)

Dear Mr. Kelley:

I am requesting clarification of the phrase "only one storage container" in 49 CFR § 173.315(j)(2)(iv).

Our company transports ASME propane storage containers that are intended for permanent installation at consumer premises. The scenario in question involves an ASME container that:

- Does not exceed 500 gallons water capacity.
- Contains more than 5% propane.
- Is being transported by a private motor carrier.
- Is being moved one way from the consumer's premises to the container owner's nearest facility.

Section 173.315(j)(2)(iv) states:

"Only one storage container may be transported on a motor vehicle."

Section 171.8 does not appear to define "storage container" or "consumer storage container." However, § 173.315(j)(2) describes the storage container as an ASME Section VIII container intended for permanent installation at consumer premises. A DOT specification cylinder is a different type of packaging.

Assume that the vehicle is carrying one qualifying ASME consumer storage container containing more than 5% propane. May the same vehicle also carry one or more properly prepared DOT specification propane cylinders, such as a 100-pound DOT cylinder containing liquid propane, provided that each cylinder independently complies with all applicable filling, marking, labeling, valve-protection, securement, shipping-paper, and placarding requirements?

More specifically, does the phrase "only one storage container" mean:

1. Only one ASME consumer storage container described by § 173.315(j)(2) may be transported on the vehicle, but additional DOT cylinders are not prohibited; or
2. The ASME consumer storage container must be the only propane package or hazardous-material package of any type transported on the vehicle?

Please also clarify whether the answer changes when the additional DOT cylinders contain propane product versus only propane residue. Thank you for your assistance.

Respectfully,



Greg Miller

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